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LIMITED LIABILITY PARTNERSHIP

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TOWN MANAGER'S OFFICE

ACHESON H. CALLAGHAN  
Of counsel

JULIE F. PRUITT

RUTH H. SILMAN

November 2, 1998

Via Facsimile at #978-264-9630  
Garry Rhodes, Building Commissioner  
Town of Acton  
Town Office Building  
472 Main Street  
Acton MA 01720

Dear Garry: (Harris Street Affordable Housing)

You have asked whether the proportion of affordable units required in a Major Affordable Housing Development by §4.4.4.1 of the Zoning By-law can be altered by variance or whether such a variance would be a "use" variance which is prohibited by §10.5. I conclude that such a variance is not prohibited by §10.5. The reasons for this conclusion follow.

Section 4.4 creates an affordable housing overlay district, which contains "incentives" for housing for low and moderate income persons. §4.4.1. There are two sub-districts, A and B. The development on Harris Street is in sub-district "B", which allows a Minor Affordable Development as authorized by §4.4.3 or a Major Affordable Development under §4.4.4. The former is a variant of an Open Space development allowed by §4.2, with an increase in the total number of permitted units. §4.4.3.1. The latter requires a special permit from the Planning Board. §4.4.4. Section 4.4.4.1 provides that a Major Affordable Development "must meet one of the following conditions" with respect to the proportion of Affordable Units in the development. That section gives the Planning Board some flexibility with respect to how those requirements are met, but does not confer any authority on the Planning Board to vary the requirements. See also §4.4.6.8, which says the ratio of low to moderate units and the methods of meeting the §4.4.4.1 requirements are subject to approval by the Planning Board, but it does not give the Planning Board any authority to modify or vary those requirements. That poses the issue whether they can be varied by a variance from the Board of Appeals.

Section 10.5 provides that "variances authorizing a USE not otherwise permitted in the particular zoning district shall not be granted." The language of § 10.5 pretty clearly refers to the "uses" defined in § 3.2 and the accompanying table. In this context I do not think a variance changing the proportion of affordable units should be considered a "use" variance. In the


Mr. Gary Rhodes  
November 2, 1998  
Page 2

first place, the uses permitted in the district are "residential" uses. The definitions in the by-law do not distinguish among residential uses based on the affordability of the units. On a somewhat analogous issue, the court has said that zoning power is limited to control of the "use" of land rather than the form of ownership (i.e. condominiums). See CHR Gen, Inc. v. Newton, 387 Mass. 351, 356-357 (1982). Second, in general §4.4 allows additional units if they are "affordable units." That is, it regulates the total number of units allowed on a parcel, by providing economic incentives for "affordable" units. In Bellows Farms, Inc. v. Building Inspector of Acton, 364 Mass. 253, 260-261 (1973) the court distinguished between regulation of the use of the land (for apartments) which was protected against changes in the by-law, and regulations affecting the number of units that could be built on the land, which were not. That reasoning is applicable here and supports the conclusion that the "conditions" in §4.4.4. about the proportion of affordable units are not use regulations.

My conclusion that such a variance is not prohibited is not intended, and does not represent, any conclusion about the merits of such a variance. That is a question for the Board of Appeals under the usual statutory and by-law standards.

I understand, however, that the Planning Board has the whole affordable housing section under review. As part of that review the Board may want to consider a change in § 4.4.4.1, if it concludes that more flexibility about the proportion of affordable units is necessary or desirable. The proportion of affordable units in a project is so closely tied up with the overall design of the project, its financial feasibility, and the different "options" in §4.4.4.3 which are subject to Planning Board approval, that I think it would make more sense, both from a substantive and a procedural point of view, to amend the by-law to give such authority to the Planning Board, as SPGA, subject to whatever limits on such discretion the Board thinks is desirable, rather than to a separate Board which does not have the entire project before it.

Very truly yours,


  
Acheson H. Callaghan

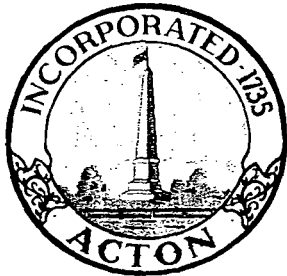
AHC:mlb  
cc: ✓ Don Johnson, Town Manager  
Roland Bartl, Town Planner

act/gen\rhodes.030

ANDERSON  KREIGER LLP

Attorneys at Law

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Planning Board

RECEIVED & FILED  
DATE January 12, 1999  
Edward J. Kelly  
TOWN CLERK, ACTON

TOWN OF ACTON  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 264-9636  
Fax (978) 264-9630

## DECISION

99-1

**FILE COPY**

### Harris Street Village

Major Affordable Housing Development Special Permit  
January 11, 1999

Decision of the Acton Planning Board (hereinafter the Board) on the application of Northwest Structures, Inc./NorthWest Development, LLC of Acton, MA (hereinafter the Applicant) for property in Acton, Massachusetts, owned by Frederick H. Dexter, Jr., Trustee of the D & B Harris Street Realty Trust, of Bedford, MA. The property is located at 2-8 Harris Street and shown on the 1998 Acton Town Atlas map C-4 as parcel 20 (hereinafter the Site).

This Decision is in response to an application for a Major Affordable Housing Development Special Permit, received by the Acton Planning Department on August 21, 1998, pursuant to Section 4.4 of the Acton Zoning Bylaw (hereinafter the Bylaw) and the Rules and Regulations for Special Permits for Major Affordable Housing Developments (hereinafter the Rules) to construct 16 dwelling units, 4 of them affordable.

The Applicant presented the subject matter of the special permit to the Board at a duly noticed public hearing on October 19, 1998. Ronald B. Peabody, NorthWest Principal, represented the Applicant. Engineering consultants Bruce Stamski, George Dimakarakos, and Elisabeth R. Schultz of Stamski and McNary, Inc., and attorney Steven R. Graham of Graham & Harsip, P.C. assisted in the presentation. The hearing was continued to 11/9/98, 11/23/98, 12/9/98, and 1/11/99, and then closed. Board members John Pavan, Joshua Chernin, Richard Croswell, Patrick Halm, Christopher Tolley, and Ken Sghia-Hughes were present throughout the hearing. The minutes of the hearing and submissions on which this decision is based upon may be referred to in the Planning Department or the Town Clerk's office at the Acton Town Hall.

## 1 EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

- 1.1 A plan entitled "Harris Street Village, A Major Affordable Housing Development" dated August 7, 1998, last revised on December 21, 1998, drawn by Stamski and McNary, Inc. of Acton, MA consisting of 6 sheets.
- 1.2 A basic landscape plan.
- 1.3 Architectural plans for three house styles, dated July 27, 1998, prepared by Incite Architecture of Lexington, MA, consisting of 6 sheets.

- 1.4 Supplemental items and documentation required by the Rules consisting of:
- A properly executed application form for a Major Affordable Housing Development Special Permit, dated 8/19/98.
  - A filing fee.
  - A completed Development Impact Report, form DIR.
  - A certified abutters list.
  - A list of other permits, approvals, and variances for the site.
  - A record deed and plan.
  - A letter authorizing Town entry into the Site to complete the street and other services.
  - A letter from the owner stating that there are no mortgage holders.
  - Draft condominium master deed and trust documents.
  - Drainage calculations, last revised 12/17/98.
  - Water balance calculations.
  - Earthwork calculations.
  - A traffic summary.
  - A written statement regarding the affordable units.
  - Proposed deed restrictions and regulatory agreements for the affordable units.
  - A development pro forma.
  - A development schedule.
  - A unit composition table.
  - Developer information.
  - A statement regarding the marketing prospects of the units.
- 1.5 Additional information submitted by the Applicant:
- An application cover letter from Stamski & McNary, Inc. dated 8/7/98.
  - A condominium fee breakdown estimate.
  - Letters regarding plan revisions from Stamski and McNary, Inc., dated 10/15/98, 11/17/98, 12/1/98, 12/17/98, and 1/5/99.
- 1.6 Interdepartmental communication received from:
- Acton Fire Chief, dated 10/15/98.
  - Acton Health Department, dated 9/22/98.
  - Acton Tree Warden & Municipal Properties Director, dated 9/17/98.
  - Acton Engineering Department, dated 10/1/98 (with attachments), 11/18/98 (with attachments), 12/10/98 (with attachments), and 1/6/99.
  - Acton Building Commissioner, dated 9/2/98.
  - Acton Town Counsel (to Building Commissioner), dated 11/2/98.
  - Acton Commission on Disability, dated 10/8/98.
  - Acton Community Housing Corporation, dated 10/7/98.
  - Acton Treasurer's Office, dated 8/31/98.
  - Acton Assessors' Office, dated 9/2/98.
  - Acton Historical Commission, dated 10/14/98.
  - Acton Water Supply District, dated 9/3/98.
  - Acton Planning Department, dated 10/9/98, 11/19/98, 12/3/98, 1/8/99.
- 1.7 Other:
- Hearing and decision extension agreements dated 10/19/98, 11/23/98, and 12/9/98.

Exhibits 1.1 through 1.5 are referred to herein as the Plan.

## **2 FINDINGS AND CONCLUSIONS**

Based upon its review of the exhibits and the record of the proceedings the Board finds and concludes that:

- 2.1 The 3.3 acre Site is located within the Residence 10/8 zoning district, the Affordable Housing Overlay District B, and the Groundwater Protection District Zone 4.
- 2.2 The proposed sixteen single family residences may be allowed on the Site by special permit subject to certain requirements set forth in section 4.4 - Affordable Housing Incentives and Overlay District - of the Bylaw, and under all other applicable overlay district requirements.
- 2.3 Four of the sixteen units, or 25%, are proposed as affordable units to be sold to eligible low or moderate income households. The rest would be market rate units. This does not meet the 40% minimum set forth in section 4.4.4.1.a) of the Bylaw. The Applicant acknowledged this discrepancy, but stated that a higher percentage of affordable units in the development is not economically feasible.
- 2.4 Furthermore, the applicant stressed that providing 25% affordable units would meet the State's requirement for a comprehensive permit under MGL Ch. 40B. The outcome of a comprehensive permit process would likely be more or less what is shown on the Plan, at least in terms of the affordable unit count and its ratio to market rate units. The Board agrees. The applicant indicated that he would seek a variance with the Board of Appeals to allow 25% affordable units, rather than a comprehensive permit.
- 2.5 The Applicant proposes to use standard State Local Initiative Program (LIP) restrictions (regulatory agreements, restrictive covenants, and deed riders) for the four affordable units to ensure their long-term affordability. These would apply if the development were approved as a comprehensive permit. The Plan appears to be in compliance with these restrictions. However, these restrictions appear to be inconsistent with certain requirements of the Bylaw, specifically the renewal by the Town of Acton of the restrictions (section 4.4.6.2), figuring the units' resale prices (section 4.4.6.3.b)), and continuation of the restrictions in the event of sales to non-eligible purchasers (section 4.4.6.6).
- 2.6 The Applicant suggests that the four proposed affordable units can be sold meeting either the State (LIP) or the local (Town of Acton) affordability guidelines. The LIP guidelines limit the affordable unit purchase price and the maximum income of eligible households to purchase such units to lower levels than the local guidelines. While adherence to local guidelines might allow for more than four affordable units in the proposed development, any affordable units that do not meet LIP guidelines will not be recognized by the State as counting toward the Town's affordable housing stock. The State goal is that every community has at least 10% affordable housing. Acton's percentage is far below that goal.
- 2.7 The Town, through its Acton Community Housing Corporation (ACHC), over the years has encouraged compliance of affordable units with State LIP guidelines. The ACHC has voted to support the proposed development.
- 2.8 The Board finds that, if there were only four affordable units on the Site, it would be more desirable that these units comply with LIP rather than local requirements, and that they are recognized by the State as affordable units.
- 2.9 It is the Board's understanding that the maximum sales price to qualify fee simple affordable units under the State's LIP program is \$94,500, which is the proposed sales price of the affordable units on the Plan. However, the development is proposed as a condominium and the Board believes that under such circumstances the maximum sales price drops to \$89,500 to allow absorption by the homeowner of the condominium fee. The applicant estimates the initial monthly condominium fee to be \$100.

- 2.10 The proposed development schedule for the affordable units does not comply with section 4.4.9.5 of the Bylaw.
- 2.11 The proposed streets, shown on the plan within an area designated as service area, do not comply with the Town of Acton design and construction standards as set forth in the Subdivision Rules and Regulations. The Applicant did not seek subdivision approval.
- 2.12 MassHighway permission will be required for the extension of the sidewalk to the abutting westerly driveway within the Great Road layout, and to allow additional storm water discharge into a catch basin and drainage pipes owned and maintained by MassHighway.
- 2.13 The existing old house on the Site is on the Acton inventory of cultural and historic resources. Although the originally submitted application indicated removal of this house, the Plan as approved hereunder does no longer indicate its removal. The Applicant has stated that he intends to restore, renovate, and modify it as necessary to locate two of the dwelling units in this building as shown on the Plan.
- 2.14 The Bylaw in section 4.4.5.5 provides that the Board may require that affordable units be constructed to be accessible for persons with disabilities. The Acton Commission on Disability recommends inclusion of one handicap accessible affordable unit.
- 2.15 The Board has received comments from various Town departments, which are listed in Exhibit 1.6 above. The Board considered these comments in its deliberations, made them available to the Applicant, and incorporated them into this decision as appropriate.
- 2.16 Since the application was made the Plan has been revised and the public hearing has been continued on numerous occasions. This decision considers and acknowledges all changes made to the Plan throughout this process, and the Plan approved hereunder reflects these changes.
- 2.17 The Plan as amended herein and the proposed residential use as approved herein are appropriate for the Site; consistent with the Master Plan; and in harmony with the purpose and intent of the Bylaw, specifically Section 4.4. They will not be detrimental or injurious to the neighborhood, and, except where variances are considered herein, comply in all respects to the applicable requirements of the Bylaw, and the Rules.

### **3 BOARD ACTION**

Therefore, the Board voted to GRANT the requested special permit subject to and with the benefit of the following Plan modifications, conditions, and limitations.

#### **3.1 PLAN MODIFICATIONS**

The Building Commissioner shall not issue a building permit, nor shall any construction activity begin on the Site, until and unless he finds that the Plan is revised to include the following additional, corrected, or modified information. Except where otherwise provided, all such information shall be subject to the approval of the Building Commissioner. Where approvals are required from persons or agencies other than the Building Commissioner, the Applicant shall be responsible for providing evidence of such approvals to the Building Commissioner.

- 3.1.1 Show street names that have been approved by the Acton Fire Chief.
- 3.1.2 Add a detailed landscaping plan to be approved by the Board. The landscaping plan shall show all existing trees and vegetation to be preserved to the east and north of the proposed tree line that is shown on sheet 5 of the Plan, or suitable replacements. It shall specify tree wells or other suitable measures necessary to preserve existing trees near the cut and fill edges, or replacement of questionable trees. It shall specify a minimum of 6 inches loam,

and seeding of all slopes and surfaces exposed during construction. Street tree plantings shall be shown more or less consistent with the Acton subdivision rules and regulations.

3.1.3 Modify the Plan as may be required to meet the approval of the Water Supply District.

3.1.4 Modify the condominium master deed as follows:

- a) In section 6, add the 'service area' as shown on the Plan to include the streets and all related drainage and other utilities including the detention pond. Specify that all streets and related facilities shall remain privately owned by the condominium association; that the association shall not petition the Town of Acton for acceptance of the streets as public ways; that the association shall be responsible for all snow and ice removal from the streets and for the regular maintenance of the streets and related facilities, including but not limited to the annual cleaning of catch basins on the Site and of the screen at the outlet structure of the detention pond; and that the condominium association shall not petition the Town of Acton to perform snow or ice removal on the streets or to conduct any maintenance of the streets and related facilities.
- b) In section 9.v), change the minimum size of replacement units to 1,500 gross square feet consistent with the unit composition table submitted with the application.
- c) In section 9.w), add to the requirements for marketing and selling the affordable units any that are applicable under the State Local Initiative Program (LIP).
- d) In section 15, add that no instrument of amendment that alters the status of the affordable units as required hereunder and under the LIP program shall be of any force and effect unless the Board approves it in writing.
- e) In section 15, add that no instrument of amendment that alters the requirements in section 6 concerning the streets and the maintenance of them shall be of any force and effect unless the Board approves it in writing.
- f) In section 19.a), add a paragraph stating that, with respect to the affordable units, any right of first refusal by the condominium owners shall be secondary to the right of first refusal by the Town or the State, and that no instrument amending this paragraph shall be of any force and effect unless the Board and the Massachusetts Department of Housing and Community Development approve it in writing.
- g) Add a paragraph stating that all additions or modifications to the residential buildings shall be limited to the maximum building envelope shown for each EUA on the lot layout sheet of the Plan.

3.1.5 Show on the architectural plans the method by which the individual units will be structurally connected so as to be in compliance with the Bylaw, section 4.4.4.2.g).

3.1.6 Place the affordable unit designations on the lot layout sheet of the Plan.

3.1.7 On the lot layout sheet of the Plan, show a maximum building envelope for each EUA consistent with section 4.4.4.2 of the Bylaw, while ensuring adequate yard areas.

3.1.8 Except for the variances considered herein, the Plan shall be modified to comply in all respects with the Bylaw. Unless directed otherwise by this decision, the Plan shall also be modified to comply with the Rules, and to address all departmental comments in a manner that resolves any concerns raised therein to the satisfaction of the Board.

### **3.2 CONDITIONS**

The following conditions shall be binding on the Applicant and its successors and assigns. Failure to adhere to these conditions shall render this special permit null and void, without force and effect, and shall constitute grounds for the revocation of this special permit, and of any building or

occupancy permit issued hereunder. The Town of Acton may elect to enforce compliance with this special permit using any and all powers available to it under the law.

- 3.2.1 Prior to the issuance of a building permit on the site the Applicant shall have obtained variances from the Board of Appeals to allow 25% rather than 40% affordable units, and to allow restrictions and deed riders for the affordable units consistent with State LIP guidelines and requirements. This special permit and the Plan as approved under it shall be without force and effect without these variances.
- 3.2.2 Subject to the issuance of the variances indicated herein, the four affordable units shall be priced, marketed, and deed restricted so as to qualify as LIP units in accordance with guidelines and requirements of the Massachusetts Department of Housing and Community Development (DHCD).
- 3.2.3 The Applicant shall work closely and cooperatively with the ACHC in the marketing of the affordable units. Prior to the sale of any affordable unit to a qualified buyer, the Applicant shall submit to the ACHC for review and approval deed restrictions and any other documents necessary to ensure the initial and long-term affordability of the unit in accordance with LIP requirements.
- 3.2.4 The Applicant shall submit to the DHCD all information required for the LIP application as it pertains to the locus, zoning, proposed units and restrictions, development team, marketing plan, affirmative action, design and construction; and pay the program application fee.
- 3.2.5 The Applicant shall bear all costs associated with marketing of the affordable units, selection of qualified buyers, and the sale of the affordable units, including the preparation of the LIP applications and the necessary regulatory agreements, restrictions and deed riders.
- 3.2.6 Affordable units and market rate units shall receive Certificates of Occupancy (CO) in accordance with the following schedule:  
CO for the 1<sup>st</sup> affordable unit prior to the CO for the 4<sup>th</sup> market rate unit;  
CO for the 2<sup>nd</sup> affordable unit prior to the CO for the 7<sup>th</sup> market rate unit;  
CO for the 3<sup>rd</sup> affordable unit prior to the CO for the 10<sup>th</sup> market rate unit;  
CO for the 4<sup>th</sup> affordable unit prior to the CO for the 12<sup>th</sup> market rate unit;
- 3.2.7 One of the affordable units shall be constructed to be adaptable for residents with disabilities in accordance with Massachusetts Architectural Access Board Regulations, 521 CMR (Group 2 residence).
- 3.2.8 All streets and related drainage and other facilities on the Site shall remain in private ownership by the proposed condominium association. The Town of Acton shall not be petitioned to accept these streets as public ways, nor shall the Town be petitioned to remove snow and ice, or to maintain, repair, or reconstruct these streets or any facilities related thereto.
- 3.2.9 Prior to the issuance of any building permit on the Site the Applicant shall have received approval from MassHighway for the storm water discharge into the Great Road drainage system and for the sidewalk in the Great Road layout. Details of the Plan as approved hereunder may be modified to show compliance with any MassHighway requirements.
- 3.2.10 All houses on the Site shall be consistent in size, scale, massing, orientation, and appearance with the architectural plan sheets and the site development plan contained in the Plan.
- 3.2.11 The Applicant shall be diligent in complying with the erosion and sediment control plan. The Applicant shall not cause or permit the runoff of water or erosion that results in the flooding or siltation of any street, way or drainage facility owned or maintained by the Town. If such runoff or erosion occurs, the Building Commissioner may order the immediate



cessation of any excavation, construction and building activities until the conditions that caused the runoff or erosion have been corrected.

- 3.2.12 Except for the variances considered herein, if granted, all work on the site and all aspects relating to the affordable units shall comply with the Bylaw, specifically section 4.4.
- 3.2.13 All requirements of the Health Director shall be met.
- 3.2.14 All taxes, and penalties and back charges resulting from the non-payment of taxes, shall be paid in full prior to issuance of a building permit.
- 3.2.15 Prior to the issuance of any building permit on the Site, the Applicant shall provide the Board with a performance guarantee for the streets and related utilities and drainage systems, erosion and sedimentation control facilities, and basic site stabilization measures. The performance guarantee shall be consistent in form and contents with the requirements of section 6 of the Acton subdivision rules and regulations. The Board reserves the right to require additional performance guarantees for any and all items and improvements shown on the Plan.
- 3.2.16 No work on the Site shall begin prior to the issuance of a building permit.
- 3.2.17 All common land areas shall remain in their natural state and remain undisturbed during and after construction except as shown on the Plan.
- 3.2.18 The common land on the Site shall remain privately owned by the condominium association.
- 3.2.19 All work on the Site shall be conducted in accordance with the terms of this special permit and shall conform with and be limited to the improvements shown on the Plan as modified herein.
- 3.2.20 All water service lines shall be installed in accordance with the specifications of the Acton Water Supply District.
- 3.2.21 All work on the Site shall be performed in compliance with the applicable law and regulations protecting wetlands and wildlife habitat in the Town of Acton.
- 3.2.22 This Decision, the approved Plan, and restrictive covenants, if any, shall be recorded at the Middlesex South District Registry of Deeds or the Land Court prior to the issuance of a building permit on the Site.

### **3.3 LIMITATIONS**

The authority that is granted to the Applicant under this special permit is limited as follows:

- 3.3.1 The foregoing required modifications and conditions have been stated for the purpose of emphasizing their importance, but are not intended to be all-inclusive or to negate the remainder of the Bylaw and the Rules.
- 3.3.2 This special permit applies only to the Site identified in this decision and to the proposed use and activity as shown on the Plan.
- 3.3.3 Other approvals or permits required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.
- 3.3.4 This special permit shall lapse if substantial use thereof has not commenced within two years of the filing date of this decision with the Town Clerk, except for good cause, or if construction under this special permit is not continued through to completion as continuously and expeditiously as is reasonable. For substantial use to have commenced, clearing and grading of at least one street as approved hereunder must be under way. For construction to continue towards completion as continuously and expeditiously as is reasonable, construction activity shall not rest for more than 1 year. A request to extend

said time limits must be made in writing to the Board at least 30 days prior to said expiration dates. The Board herewith reserves its rights and powers to grant or deny such extension, to issue any appropriate changes to the special permit and to require any appropriate modifications of the Plan.

- 3.3.5 The Board hereby reserves its right and power to modify or amend the Plan and the terms and conditions of this special permit with or without a public hearing upon the request of the Applicant, his designees or assigns, or upon its own motion.

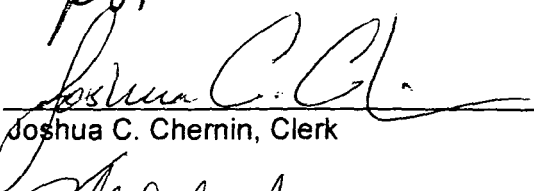
**4 APPEALS**


Appeals, if any, shall be made pursuant to MGL, Ch. 40A, S. 17 and shall be filed within 20 days after the date of filing this decision with the Town Clerk.

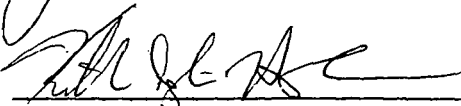
The Town of Acton Planning Board

  
John M. Pavan, Chairman

  
Richard M. Croswell, Vice Chairman

  
Joshua C. Chernin, Clerk

  
Patrick E. Halm

  
Ken Sghia-Hughes

  
Christopher S. Tolley

(or)

Signed on behalf of the Acton Planning Board

\_\_\_\_\_  
Roland Bartl, AICP, Town Planner  
for the Town of Acton Planning Board

This is to certify that the 20-day appeal period on this decision has passed and there have been no appeals made to this office.

\_\_\_\_\_  
Catherine Belbin, Town Clerk

\_\_\_\_\_  
Date

**Copies furnished:**

Applicant - certified mail #9601444304	Building Commissioner	Health Director
Engineering Administrator	Municipal Properties Director	Town Clerk
Conservation Administrator	Town Manager	Fire Chief
Police Chief	Acton Water District	Owner
Historical Commission	Assistant Assessor	MAGIC (DRI only)
Historic District Commission		

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To: Roland Bartl, AICP

From: Ron Peabody

Subject: Affordable Units, Harris Street

Date: October 26, 1999

Pete has asked me to swap units 15 & 16, which means that facing the Historical House we would like to make the unit on the left the Affordable Unit.

The reason for this request has to do with scheduling and units that are sold as market rate units to date.

I also thought you would like the following update. Five units sold and four affordable so only seven remain to sell. I guess there is a real need for moderately priced houses.

The blasting is done so it looks as if this was without incidence.

Thanks in advance for allowing our request.

A handwritten signature, likely of Ron Peabody, consisting of a stylized 'R' followed by a horizontal line.



Planning Board

RECEIVED & FILED

DATE Nov. 2, 1999

Carl K. Bower  
TOWN CLERK, ACTON

**FILE COPY**

TOWN OF ACTON  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 264-9636  
Fax (978) 264-9630

**AMENDMENT #1  
OF DECISION  
99-1**

Harris Street Village  
Major Affordable Housing Development Special Permit

November 1, 1999

This is an amendment by the Planning Board (hereinafter the Board) of its Decision 99-1 issued to Northwest Development, LLC (hereinafter the Applicant) filed with the Town Clerk on January 12, 1999 (hereinafter the Original Decision).

This amendment is in response to the Applicant's request of October 16, 1999 to switch one of the designated affordable units from unit 16 as presently indicated on the approved plan to unit 15 instead.

The Board reviewed the matter at its regular meeting on November 1, 1999.

**1 FINDINGS AND CONCLUSIONS**

- 1.1 Units 15 and 16 have both 3 bedrooms and therefore are substantially equivalent housing accommodations. They are located next to each other in the same building.
- 1.2 This minor amendment does not require a public hearing.

**2 BOARD ACTION**

The Board voted to **APPROVE** the requested plan change to relocate one affordable unit from unit 16 to unit 15. Except as modified herein, the Original Decision, and the plan approved thereunder, shall remain in effect.

- 3 CONDITION** The affordable unit #15 shall feature 3 bedrooms.

Signed on behalf of the Acton Planning Board

Roland Bartl  
Roland Bartl, AICP, Town Planner

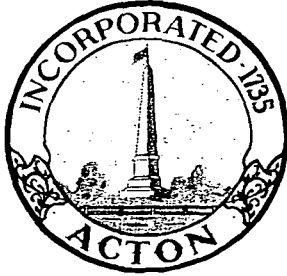
Nov. 1, 1999  
Date

Copies to:

Applicant - certified mail # 2023962950  
Engineering Administrator  
Town Manager  
Town Assessor

Building Commissioner  
ACHC  
Fire Chief  
Historical Commission

Board of Health  
Town Clerk



**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts 01720  
Telephone (978) 264-9636  
Fax (978) 264-9630

**Planning Department**

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**INTERDEPARTMENTAL COMMUNICATION**

**To:** Planning Board **Date:** October 27, 1999  
**From:** Roland Bartl, AICP, Town Planner *R.B.*  
**Subject:** Harris Street Village - Affordable Units

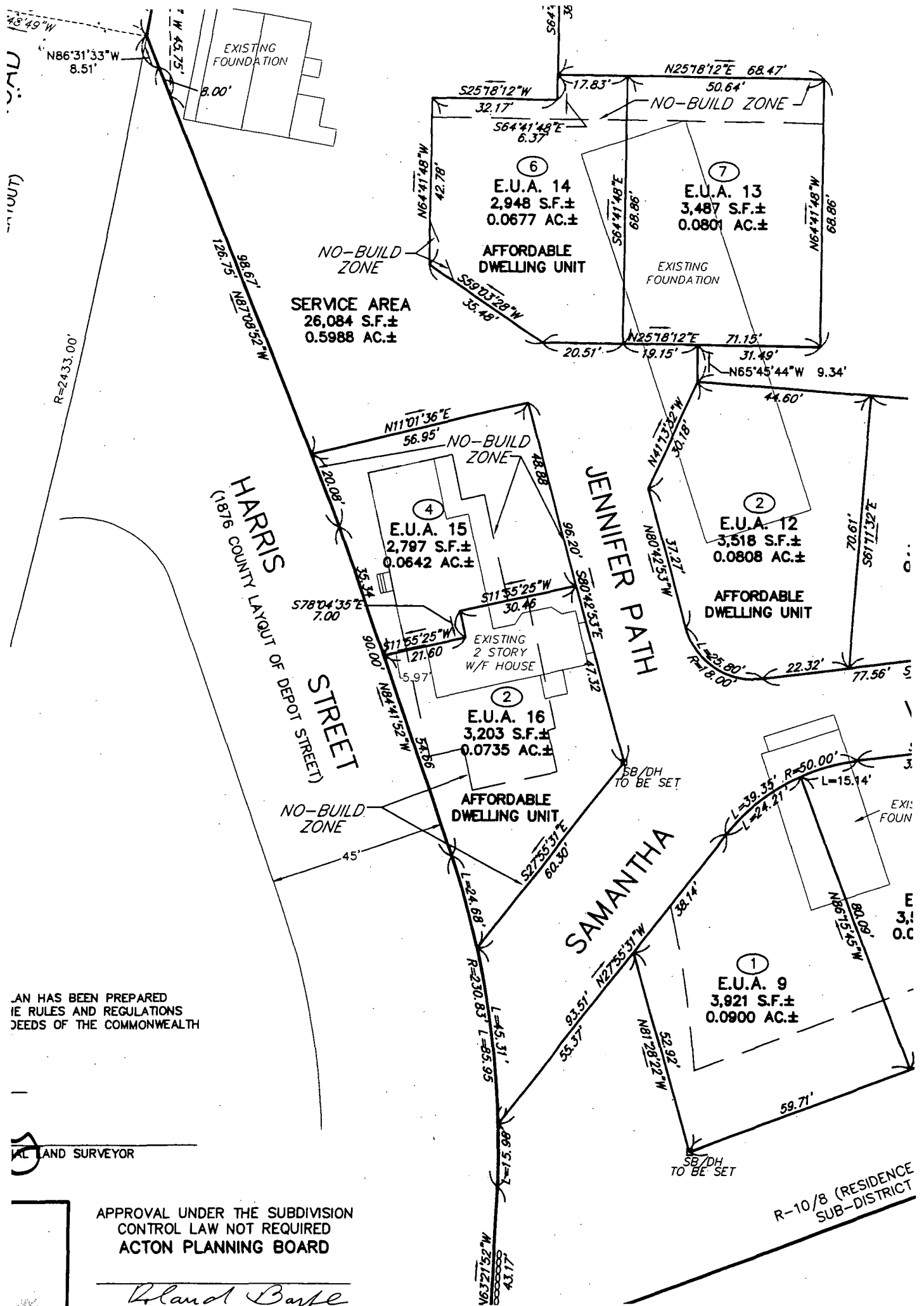
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Attached is the developer's request to switch one of the affordable units. Presently the approved plan designates unit 16 as an affordable unit. The request is to switch it to unit 15. Both units are virtually identical, having 3 bedrooms each. Both are in the old house that will be rehabbed.

I recommend that the Board grant this request as a minor amendment that does not require a public hearing.

Attached is a draft decision amendment.

d:\all planning\planning board\decisions\99-01 ch 1, harris street village mahd.doc







**ACTON COMMUNITY HOUSING CORPORATION**

**P.O. BOX 681**

**ACTON, MA 01720**

**(978) 263-4776 FAX (978) 266-1408**

October 19, 1999

Dear ACHC Board:

I was contacted by Mark O'Hagan today regarding the Harris Street project and the upcoming lottery. In speaking to him he stated that he had met with Ron and Steve earlier in the week and discussed the project. They "all" felt that the project could move forward under the Town's direction rather than the State's LIP because the ZBA had granted the variance and it was not necessary to have it as a LIP Project. He stated as long as the units are Deed Restricted the State would count it towards the Town's 10%. Somewhere in the discussion he intimated that the project was getting expensive and that the condo fee was going to have to be set at \$100 a month with a sales price of the original three bedroom LIP set at the \$94,500 rather than the reduced price for condos at \$88,000/\$84,000. He went on to say that the State granted the Town a waiver for Nylander Way so the precedent has been established. Throughout the whole conversation I was not a happy camper. I explained a number of times that I was not comfortable with the project moving ahead as a Town's Affordable Housing Project and overseeing it ourselves.

Needless to say I was very surprised at his statements. I stated that I had thought the LIP application had been filed- Mark said NO that when they went for the ZBA variance and the variance was granted the filing for the LIP application was not necessary- I again explained that I was uncomfortable about it not being a LIP- He stated that they were looking at Federal instead of State backing and that would meet the SUBSIDY requirements to qualify. He said the application fee for LIP \$2500 was like burning money and was not necessary if the Town oversees the project.

I have reviewed the ZBA Decision, the Planning Board's Decision (copies enclosed) and have spoken to Roland who seems to agree with me that the decisions refer to the filing of a LIP application by the Developer.

After all that has taken place at the BRA, I for one do not want the responsibility of overseeing a project that is mirrored after the LIP program- My feelings are, the State set up for the process i.e. Deed Restrictions and other official documents why would the ACHC want to reinvent the wheel-

Mark plans on discussing this with you Thursday at 7:30 am- I told him he only had a half an hour. The other point I think that needs to be considered is that the Selectmen have already signed off on the LIP application for Harris Street (copy enclosed) on 11/17/98. I am sure they think the project is already been designated as a LIP. It will also be an additional cost to the Town if Town Council has to review all the legal documents Deed restrictions to make sure they mirrored the State's LIP.

In regard to 100 Willow Street, I have drawn up a list of items (copy enclosed) that the ACHC needs to discuss with the Ron Peabody regarding the repair work- Mark has requested a copy of the list so I am by Thursday Ron will have seen it as well- I have scheduled an appointment with Gary Rhodes, Building Commissioner, on Thursday at 10:00 am, to inspect the home for CODE violations. Anyone interested in joining us please feel free.

Betty McManus

# *Harris Street Village*

*Acton, Massachusetts*

*An Affordable Residential Community*



*Local Initiative Program Application  
Submitted to Acton Board of Selectmen  
November 1998*

By:  
MCO & Associates, Inc.  
Bolton, MA 01740

For:  
Northwest Development LLC  
178 Great Road  
Acton, MA 01720

ACTON COMMUNITY HOUSING CORPORATION  
P.O. BOX 681  
ACTON, MA 01720  
(978) 263-4776

November 11, 1998

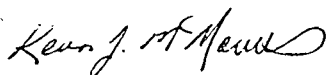
Mr. Wayne Friedrichs  
Chairman, Acton Selectmen  
Acton Town Hall  
472 Main Street  
Acton, MA 01720

Dear Mr. Friedrichs:

On September 17, 1998 the Acton Community Housing Corporation (ACHC) met with Ron Peabody of Northwest Structures to discuss an Affordable Housing Development entitled Harris Street Village. The ACHC Members were very impressed with his proposed plans and his willingness to work with the Members in having four (4) homes designated for "First Time Homebuyers" under the State's Local Initiative Program. As you are aware Mr. Peabody has worked with the ACHC for several months on another affordable housing project related to the Bellows Farm subdivision, and we have always found him to be very helpful and cooperative. After his presentation the ACHC's Members voted unanimously to support the Harris Street Project.

If the Selectmen have any questions regarding the ACHC's support of Harris Street Village's LIP Application we will be present at the Developer's presentation before the Selectmen.

Sincerely,



Kevin J. McManus  
Chairman

Section II: Community Support

*Harris Street Village  
Acton, MA*

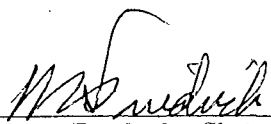
Project Narrative

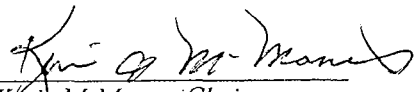
Harris Street Village would create a community of 16 homes on a 3.3 acre parcel located within the Acton Affordable Housing Overlay district. The density for the project and the entire site development plan was designed based upon the underlying affordable housing zoning that was created by the Town of Acton. The plans attached as part of this LIP Application have been submitted to the various Town boards and based upon a preliminary review the project has been well received.

The reason the project is now being submitted through the Local Initiative Program (LIP) is due to the percentage of affordable homes necessary to fully comply with the local affordable housing by-law. This by-law requires that 40% of the homes be affordable with deed restrictions. Based upon the financial aspects of the development it simply is not possible to achieve that percentage and have a viable project. By utilizing the LIP and the comprehensive permit process we can still provide the benefits of affordability for 25% of the homes as well as comply with the design criteria established for the site.

The project developer, Mr. Ron Peabody of Northwest Development LLC, has a long resume of projects in the Acton area and has demonstrated his desire to help provide quality, affordable housing within the community of Acton. Currently, in conjunction with a large market-rate development called Bellows Farm, Mr. Peabody has established a fund of nearly \$700,000 for the acquisition and redistribution of 6 homes in Acton to qualified first time buyers selected through the LIP Program. In fact, the first home acquired through this innovative program is scheduled to be conveyed to a "winning" family later this month (November 1998). The Acton Community Housing Corporation (ACHC) has been very involved in the activities associated with the Bellows Farm Outreach program and has also endorsed the Harris Street Village project, as evidenced by the attached letter of support.

In summary, the Board of Selectman and the ACHC express their support and endorsement of the proposed "Harris Street Village" and look forward to its implementation and the addition of six homes to our current affordable housing stock.

 11/17/98  
Wayne Friedrichs, Chairman  
Acton Board of Selectmen

  
Kevin McManus, Chairman  
Acton Community Housing  
Corporation

*Harris Street Village*  
Acton, Massachusetts

Section I: Community Information

*Chief Elected Official*

Wayne Friedrichs  
Chair, Board of Selectmen  
Town Hall - 472 Main Street  
Acton, MA 01720  
978-264-9615

*Chairman, Housing Partnership*

Kevin McManus  
Chair, Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720  
978-264-5339

*Town Planner*

Roland Bartl  
Town Planner  
Town Hall - 472 Main Street  
Acton, MA 01720  
978-264-9636

*Chairman, ZBA*

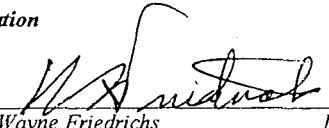
Peter Berry  
Chair, Acton Zoning Board of Appeals  
Town Hall - 472 Main Street  
Acton, MA 01720  
978-264-9636

*Community Contact for Project*

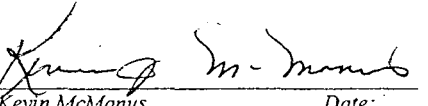
Betty McManus  
Clerk, Acton Community Housing Corporation  
P.O. Box 681  
Acton, MA 01720  
978-264-5339

*Signatures of Support for the Local Initiative application*

*Chief Elected Official*

 11/17/98  
Wayne Friedrichs Date:

*Chairman, Housing Partnership*

 11/12/98  
Kevin McManus Date:

**MCO**  
& Associates

January 25, 2000

Department of Housing & Community Development  
Mrs. Miryam Bobadilla  
Office of Private Housing  
1 Congress Street - 10<sup>th</sup> Floor  
Boston, MA 02114

RE: 4 Local Initiative Units  
Harris Street Village, Acton, MA

Dear Miryam:


Enclosed please find three copies of a Local Initiative Application regarding Harris Street Village in Acton, MA. This project is being developed by Northwest Development LLC. Northwest Development LLC is the same group that recently provided six affordable LIP homes through Bellows Farm Outreach program.

Harris Street Village is a sixteen unit detached condominium community that is located in, and has been approved through, Acton's Affordable Housing Overlay District. The price for the affordable units and process for distribution is based upon the LIP Program. We are seeking DHCD approval of the 4 units designated as affordable "Local Initiative Units". Enclosed is a \$200.00 check made payable to the Commonwealth of Massachusetts as the program fee. The affordable units are designated on the attached brochure. Three are to be newly constructed homes and the fourth is to be located within the historic homesite, currently located on the property, which is being extensively renovated. Specifically, they are units # 1, 12, 14 and 15.

There are two issues that have come up as it relates to LIP Program Guidelines and how they will impact the operation of the condominium requiring waivers/clarification. The first is the condominium fee for the affordable homebuyers. We understand the fee allowed for a three bedroom single family home is \$20.00 per month. The Homeowners Association at Harris Street will have only three primary functions: to operate a shared septic system, provide lawn mowing and to plow the roadway. We request that DHCD allow the fees to be set at the rate of \$50.00 per month for the affordable units and to maintain the sales price of \$94,500. This will a consistent ratio for the fees for the market rate and affordable homebuyers (i.e. the market rate homes are approximately three times the price of the affordable homes and this same ratio will exist in the fee structure). Attached for review is an affordability analysis for an affordable unit using the \$50 fee. This analysis demonstrates there is an affordability window for LIP homebuyers exceeding 20%. Secondly, to ensure the septic system reserve account is well funded each homebuyer (market rate and affordable) is required to pay an initial \$500 into the reserve account at closing per the board of health. This is not covered in the LIP guidelines but has become very commonplace in the market. Please review and advise/approve on these two issues.

I hope the enclosed LIP application for the four LIP units provides all the necessary details you may need regarding the project. If you have any questions please call me at 978-779-0113.

Sincerely,



Mark C. O'Hagan  
MCO & Associates, Inc.  
For Northwest Development LLC

cc: R. Bobadilla  
Northwest

**REQUEST FOR INCREASED ALLOWABLE  
ASSOCIATION FEE  
Affordability Analysis**

*Harris Street Village - Acton, MA*

<b>Home Price</b>	<b>\$</b>	<b>94,500</b>
<i>Interest Rate</i>		8.50%
<i>Down Payment (%)</i>		5.00%
<b>Down Payment (\$)</b>	<b>\$</b>	<b>4,725.00</b>
<b>Mortgage Amount</b>	<b>\$</b>	<b>89,775.00</b>
<b>Monthly Expenses</b>		
<i>Principal &amp; Interest</i>		\$690.29
<i>Real Estate Taxes</i>		144.19
<i>Private Mortgage Insurance</i>		60.00
<i>Homeowners Insurance</i>		40.00
<i>Association Fee</i>		50.00
<b>TOTAL Monthly Expenses</b>		<b>\$984.48</b>
<b>Minimum Income Required</b>	<b>\$</b>	<b>35,799</b>

**NOTES:**

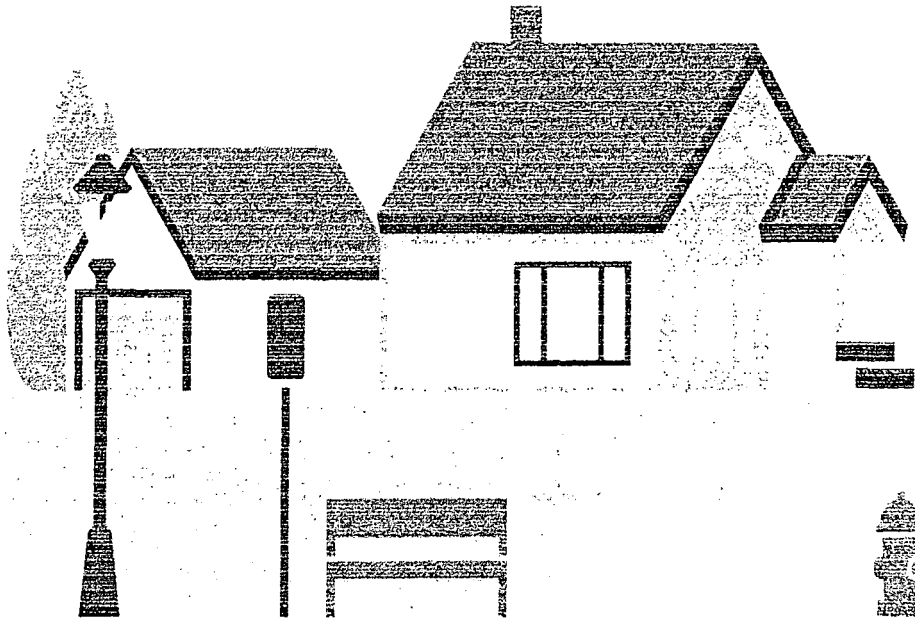
*ALL Values are estimates and are subject to change*  
*Acton Tax Rate = \$18.31 per thousand (+/-)*  
*A 20% Down Payment will eliminate Private Mortgage Insurance*  
*Minimum Income Required based upon 33% Housing Ratio*  
*Maximum DHCD Annual Income utilized*      **\$**      **47,800**  
  
*Affordability Window*                      **25%**



# *Harris Street Village*

*Acton, Massachusetts*

*An Affordable Residential Community*



## *Application*

*Submitted to DHCD for Approval of  
Four (4) Local Initiative Units*

*By:*

*MCO & Associates, Inc.  
62 Green Road  
Bolton, MA 01740  
978/779/0113*

*For:*

*Northwest Development LLC  
178 Great Road  
Acton, MA 01720*

***Harris Street Village***  
*Acton, Massachusetts*

**Section I: Community Information**

***Chief Elected Official***

Wayne Friedrichs  
Chair, Board of Selectmen  
Town Hall – 472 Main Street  
Acton, MA 01720  
978-264-9615

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***Town Planner***

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***Community Contact for Project***

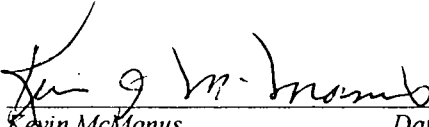
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***Signatures of Support for the Local Initiative application***

***Chief Elected Official***

 11/17/98  
Wayne Friedrichs Date:

***Chairman, Housing Partnership***

 11/12/98  
Kevin McManus Date:

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*Harris Street Village  
Acton, MA*

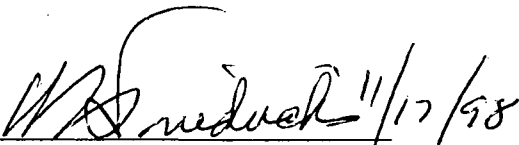
### Project Narrative

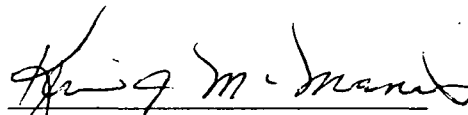
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Acton Board of Selectmen

  
Kevin McManus, Chairman  
Acton Community Housing  
Corporation

ACTON COMMUNITY HOUSING CORPORATION  
P.O. BOX 681  
ACTON, MA 01720  
(978) 263-4776

November 11, 1998

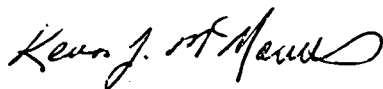
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If the Selectmen have any questions regarding the ACHC's support of Harris Street Village's LIP Application we will be present at the Developer's presentation before the Selectmen.

Sincerely,



Kevin J. McManus  
Chairman

**Section III: The Site**

*Harris Street Village  
Acton, MA*

Please provide all the information requested in this section:

**A. Site Address:**

Street & Number: 2,4,6,8 Harris Street

Community: Acton

Zip Code: 01720

**B. Site Characteristics:**

Summary Description (please note the presence of any development constraints such as wetlands, ledge, hazardous waste, etc.)

***See Attached***

**C. Site Area:**

1. Acreage on Site: 3.3

2. Proposed density with

Comprehensive Permit in place: 4.9 Units per Acre

3. Total buildable acreage on site: 3.3

**D. Site Control:**

**1. Site Ownership**

If the developer owns the site, attached a copy of the deed.

***N/A***

**2. Site Under Agreement or Option**

If the developer currently holds a purchase and sale agreement or an option to purchase the site, provide the following information:

Name & Address of Seller: Fredrick H. Dexter, Trustee  
Harris Street Realty Trust  
9B Apple Tree Lane  
Bedford, MA 01730

Proposed Selling Price: \$345,000

Expiration Date of P&S or Option Agreement: March 31, 1999

Last Arm's Length Transaction

Attach verification of the cost of the land at last arms length transaction if the transaction occurred within the last three (3) years.

E. Site Utilities

Sanitary Sewer	Public: _____
	Private: <u>  X  </u>
	On-site Septic: <u>  X  </u>
	Sewage Treatment Plant: _____
Water:	Public: <u>  X  </u>
	Wells: _____
Gas:	Available on Site: <u>  X  </u>
	Not Available on Site: _____
Existing streets	Public: _____
On Site:	Private: <u>  X  </u>

F. Surrounding Neighborhood

Briefly describe the land use and prevailing zoning in the neighborhood immediately surrounding the site.

*To the North and West the site abuts land owned by the Acton Housing Authority which has townhome style family housing units. To the East, up a slope, is a newer subdivision of approximately 15 market rate homes. Harris Street connects with Great Road (Route 2A) which provides a wide variety of stores and services.*

G. Directions to the Site

Attached detailed site directions from Boston

H. Community/Area Map of the Site

Attached a map of the community, with the site clearly marked.

## ***Harris Street Village***

*Acton, Massachusetts*

### **Section III: The Site**

#### ***Harris Street & Route 2A***

##### ***Directions from Boston***

- Take Route 2 West past the Concord Rotary
- Take Route 27 Exit, Right off Ramp
- Follow to Intersection of Great Road/Route 2A
- Take Left onto Route 2A West
- Harris Street will be approximately 1 mile on your Right
- Site is at Intersection of Route 2A and Harris Street, behind older Red home.

**Section IV: Zoning**

*Harris Street Village  
Acton, MA*

- A. If a comprehensive permit for the project has not been granted, please complete this section. If a comprehensive permit has been granted, please proceed to the next page.

**1. Current Zoning**

Zoning Classification: *Residential – Affordable Housing Overlay District*

Usage Allowed: *Housing*

Units Per Acre Allowed: *16 Homes allowed per Affordable Housing Overlay District guidelines.*

**2. Agricultural Zoning**

If zoning is “agricultural”, have you received notification from the Massachusetts Department of Food and Agriculture concerning the applicability of Executive Order 193 to the site?

Yes \_\_\_\_\_ No \_\_\_\_\_

*Not Applicable*

3. Has a 21E hazardous waste assessment ever been done on this site?

Yes **X** No \_\_\_\_\_

If “yes”, summarize the findings.

*A Level 1 study was previously conducted and the results were negative – no evidence of waste found.*

4. Has the developer ever submitted a site/project eligibility application to the Massachusetts Housing Finance Agency for this project pursuant to another subsidy program (e.g. HOP)?

Yes \_\_\_\_\_ No **X**

If “yes”, was the application approved? *N/A*

If “yes”, on what date? *N/A*

5. If permit was granted, what will the density of the project be in units per acre?

*4.9 units per acre*

- B. If the local zoning board of appeals already has granted a comprehensive permit for the project, please complete this section.

*Not Applicable – No Comprehensive Permit has been granted*



**Section V: The Project**

*Harris Street Village  
Acton, MA*

**A. Type of Project (please check):**

**Total Number of Units**

- |             |       |                       |
|-------------|-------|-----------------------|
| • Ownership | _____ | _____ <b>16</b> _____ |
| • Rental    | _____ | _____                 |
| • Other     | _____ | _____                 |

**B. Project Style (please check):**

**Total Number of Units**

- |                          |       |                       |
|--------------------------|-------|-----------------------|
| • Single Family Detached | _____ | _____ <b>16</b> _____ |
| • Attached               | _____ | _____                 |
| • Low-Rise               | _____ | _____                 |
| • Mid Rise               | _____ | _____                 |
| • Other                  | _____ | _____                 |

**C. Breakdown of Units**

	<u>Number</u>	<u>Percentage of Total Units</u>
Affordable Units*	_____ <b>4</b> _____	_____ <b>25</b> _____
Market Rate Units	_____ <b>12</b> _____	_____ <b>75</b> _____
Other Units (if applicable)**	_____	_____
Total Units	_____ <b>16</b> _____	_____ <b>100</b> _____

\* Affordable units are units to be made available for purchase or rental to low- or moderate-income households pursuant to Chapter 40B.

\*\* Some projects may include units to be purchased with Massachusetts Housing Finance Agency financing.

#### D. Development Schedule

Complete the chart below by providing the appropriate month and year. If you plan to develop the project in one phase, complete only the first vertical column. If you plan to develop in two or three phases, complete the second and/or third columns as well. If you are developing a project with more than three phases, add additional columns representing the additional phases.

	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	<u>Total</u>
Number of Affordable Units:	<u>4</u>	<u>          </u>	<u>          </u>	<u>4</u>
Number of Market Units:	<u>12</u>	<u>          </u>	<u>          </u>	<u>12</u>
Subtotal by Phase:	<u>16</u>	<u>          </u>	<u>          </u>	<u>16</u>

Please complete the following chart with the appropriate projected dates:

All permits granted:	<u>4/99</u>	<u>          </u>	<u>          </u>
Construction Start:	<u>9/99</u>	<u>          </u>	<u>          </u>
Marketing Start – Affordable Units:	<u>11/99</u>	<u>          </u>	<u>          </u>
Marketing Start – Market Units:	<u>9/99</u>	<u>          </u>	<u>          </u>
Construction Completed On 1 <sup>st</sup> Phase:	<u>11/00</u>	<u>          </u>	<u>          </u>
Initial Occupancy:	<u>5/00</u>	<u>          </u>	<u>          </u>

#### Public Funds

If any public funds will be used to develop this project, please provide the following information:

Source: N/A  
Amount: N/A

E. Unit Composition – Ownership Projects Only

If the project will be an ownership project, please complete the chart below. Include a separate entry for each unit type according to its square footage and/or sales price.

Type of Unit (Design)	# of Units	# of Bedrooms	# of Baths	Gross Square Feet	Sales Price	Homeowner's Association/ Condominium Fee
Affordable Units	4	3	2.5	1,600+/-	\$94,500	\$50/month
Market Units	12	3	2.5	1,600+/-	\$299,000+/-	\$100/month
Other Unit Types (if Applicable)	N/A					

Tax Rate

Local Tax rate per thousand:      \$ 18.31

Amenities

Will all the features and amenities available to market buyers also be available to affordable buyers?

**Yes**

If No, explain any differences in the amenity packages:

N/A

NOTE: Based on the information provided on this page, DHCD will determine the income level necessary for buyers of the affordable units to qualify for conventional rate mortgages. If the income levels exceed 80% of median income for the area in which the project is located, the project will not meet the requirements of Chapter 40B.

Section VI: Project Feasibility

***Harris Street Village  
Acton, MA***

**A. Ownership Pro Forma**

<u>Development Items:</u>	<u>Total Costs</u>	<u>Per Unit</u>
Site Acquisition	\$ 345,000	\$ 21,563
<u>Hard Costs:</u>		
(a) Site Preparation	\$ 550,000	\$ 34,375
(b) Landscaping	\$ 32,000	\$ 2,000
(C) Residential Construction	\$ 1,560,000	\$ 97,500
(d) Subtotal Hard Costs (a+b+c)	\$ 2,142,000	\$ 133,875
(e) Contingency 5%	\$ 107,100	\$ 6,694
(f) Total Hard Costs	\$ 2,594,100	\$ 162,131
<u>Soft Costs:</u>		
(g) Permits/Surveys	\$ 80,000	\$ 5,000
(h) Architectural	\$ 35,000	\$ 2,188
(I) Engineering	\$ 60,000	\$ 3,750
(j) Legal	\$ 35,000	\$ 2,188
(k) Insurance	\$ 15,000	\$ 938
(l) Security	\$ -	\$ -
(m) Developers Fee	\$ 50,000	\$ 3,125
(n) Construction Management (8% of Total Hard Costs)	\$ 207,528	\$ 12,971
(o) Property Manager	\$ -	\$ -
(p) Construction Interest	\$ 110,000	\$ 6,875
(q) Financing/Application Fees	\$ 25,000	\$ 1,563
(R) Utilities	\$ 15,000	\$ 938
(s) Maintenance - Unsold Units	\$ 5,000	\$ 313
(t) Accounting	\$ 15,000	\$ 938
(u) Marketing (6% of Sales)	\$ 242,280	\$ 15,143
(v) Subtotal Soft Costs (add g - u)	\$ 894,808	\$ 55,926
(w) Contingency 5%	\$ 44,740	\$ 2,796
(x) Total Soft Costs (v + w)	\$ 939,548	\$ 58,722
(y) Total Development Costs (f + x)	\$ 3,533,648	\$ 220,853

*Section VI : Project Feasibility (continued)*

**B. Profit Analysis**

Sources:

(A) Affordable Sales - Projected	\$ 378,000
(B) Market Sales - Projected	\$ 3,660,000
(C) Public Grants	\$ -
(D) Total Sales plus Grants	\$ 4,038,000

Uses:

(E) Construction Contract Amount	\$ 2,594,100
(F) Total Development Costs	\$ 3,533,648
(G) Total Profit (D - F)	\$ 504,352
(H) Percentage Profit (G/F)	14.27%

**C. Cost Analysis:**

Provide the total, gross building square footage and the cost per square foot for each of the following items. Items should conform to the information on the proforma.

Total Building Square Footage:	1,600
Residential Construction Cost Per Square Foot:	\$ 60.94
Total Hard Costs Per Square Foot:	\$ 101.33
Total Development Cost Per Square Foot:	\$ 138.03

## ***Harris Street Village***

*Acton, Massachusetts*

### **Section VII: Development Team**

*Developer* Ronald Peabody  
Northwest Development, LLC  
178 Great Road  
Acton, MA 01720  
978-264-4223

*Contractor/Builder* Northwest Structures, Inc.  
178 Great Road  
Acton, MA 01720  
978-263-6166

*Engineer* Stamski & McNary, Inc.  
80 Harris Street  
Acton, MA 01720  
978-263-8585

*Architect* Incite Architecture  
74 Bedford Street  
Lexington, MA 02420  
781-862-3444

*Attorney* Steven Graham  
Graham & Harsip, P.C.  
289 Great Road – Suite 101  
Acton, MA 01720  
978-264-0480

*Consultant* Mark C. O'Hagan  
MCO & Associates, Inc.  
62 Green Road  
Bolton, MA 01740  
978-779-0113

*Note: MCO & Associates, Inc. will also be acting as certifying agent for the lottery program.  
Please advise if unacceptable.*

# *Harris Street Village*

## *Marketing Program & The Lottery*

### *Marketing Program*

#### *Introduction*

The marketing program and minority & handicapped outreach for the "Harris Street Village" in Acton, Massachusetts will be grass roots in nature with a strong focus on the local market. In the immediate market area including the towns of Acton, Boxboro, Littleton, Concord, Stow, Maynard and Sudbury there is a large under served population of families in need of quality affordable homes. As home prices in these communities continue to appreciate at a rapid pace and the availability of suitable properties has become more difficult we are excited to have the opportunity to build 4 new, quality homes for distribution through the LIP.

The homes will be distributed based upon criteria established by the Commonwealth of Massachusetts Department of Housing & Community Development (DHCD). We expect the six homes will be distributed to three applicant pools. The first will be a minority pool, the second will be for those applicants qualified under Acton's Local Preference criteria (which the Town has requested the maximum 70% of the homes), the third will be distributed to the rest-of-state pool. The final unit mix of these groups is to be established by DHCD in conjunction with local officials.

The objective of the marketing program is to identify a sufficient pool of applicants for the 4 available, affordable homes. It should be understood that these four homes will come available over a period that could potentially be 18 months. Given the extended time frame, we hope to secure a group of applicants large enough to handle the percentage of fallout that will occur. Based upon the lottery results, all applicants would have their proper rank in the appropriate pools. This will enable us to quickly determine who would have the first opportunity for the purchase of an upcoming home. Given the response that we recently received with the homes being sold in conjunction with the Bellows Farm Outreach program we feel very confident of the need for these homes.

What follows is a list of activities and materials we intend to utilize to assist in our marketing of the individual homes, processing of the applicants and our attempts to reach out to the local community's minority population.

#### *Public Information Meetings*

Public information meetings would be held to create a proper forum to adequately address the questions and/or concerns of the potential applicants or community organizations. These meeting(s) enable us to better assess the strength of the market and to identify potential applicants. The meeting agenda would consist of a general introduction on the available home(s), the LIP Program and related deed restrictions, the lottery process as well as a comprehensive discussion of the financial requirements of prospective buyers. A variety of media outlets would be utilized to attract applicants including newspaper advertising, the posting of flyers, public service cable if available and mailings to known interested parties.

### *Community Outreach*

As stated we strongly believe in the grass roots approach in marketing affordable housing units. The Acton Community Housing Corporation has been promoting opportunities locally for years and has an established mailing list of potential buyers. We will utilize flyers to attract local residents and will do a mailing to municipal organizations requesting that they post flyers or distribute the information throughout their organization. Mailings will also be sent to other local planning agencies, housing advocates, human service providers and church organizations.

### *Advertising & Materials*

A traditional mix of advertising in the local papers and classified advertising in larger publications will be used to support the outreach activities. A comprehensive information packet will be developed to include specific materials about the home being offered, a form called "What is LIP" (attached), an affordability analysis (attached) as well as the proposed application (attached).

### *Minority Outreach Activities*

In a direct effort to attract minority applicants we will place advertisements in minority publications. The Bay State Banner is directed towards the areas black community, El Mundo is focused towards the Hispanic population. Local & regional minority focused organizations will be contacted to spread the word about available opportunities.

### *The Lottery*

#### *Proposed Screening*

The pre-screening of applicants will be done internally to determine the eligibility of the prospective homebuyers on both a program and financial basis.

The criteria they will need to meet are:

- *Combined household income may not exceed \$47,800.* (Note: This assumes a household size of 1-4 people. Larger household will receive an adjustment based upon LIP guidelines)
- *All applicants must be first-time homebuyers.* A "first-time" buyer is someone who has not owned property as a principal residence for a period of three years prior to completing the application.
- *Applicants will be evaluated and pre-qualified* for their capacity to secure the necessary financing as well as having the funds required for down payment, closing expenses and reserves. Standard mortgage underwriting practices will be utilized.
- *In all cases family applicants will be given preference of individual applicants.* Households of two or more will be given a preference in the process.
- As a component of the application potential buyers will answer questions enabling us to qualify them as a local or minority applicant which will give them preferences in the lottery process. The local preference guidelines have already been established and are attached.
- The Town of Acton has requested that 70% of the homes be distributed to local applicants.
- All applicants must meet the LIP guideline that they have *total assets of no more than \$30,000.*
- Applicants must meet all other applicable guidelines (current and others that may be imposed) established by HCDC and the LIP.



### *Lottery Process*

Distribution of the homes will be done through a three part lottery process to determine the ranking of pre-screened and pre-qualified applicants. The lottery will consist of three distinct components. First, a lottery of all minority applicants will be held to establish the order for which all minority designated homes are to be distributed. Second, a lottery of all local applicants will be held to establish the order for which all local designated homes are to be distributed to Acton residents. Third, will be a lottery for all consisting of all applicants which shall be designated as the Rest-of-State lottery. It must be understood that minority applicants if they are local as well would be placed in the minority pool, the local pool and the rest-of-state pool. Local applicants would participate in both the Local pool and rest-of-state pool.

Based upon the overall schedule of activities our minimum objective will be to identify a ratio of 4 applicants for each home available.

### *Summary*

We believe this outreach program will ensure that the Town of Acton and the surrounding communities will be notified of the available opportunities and the smooth and fair processing of all potential applicants.

**Harris Street Village**  
*Acton, Massachusetts*

***AFFORDABILITY ANALYSIS***

<b>Home Price</b>	\$	94,500	\$	94,500	\$	94,500
<i>Interest Rate</i>		8.50%		8.50%		8.50%
<i>Down Payment (%)</i>		5.00%		10.00%		20.00%
<b>Down Payment (\$)</b>	\$	4,725.00	\$	9,450.00	\$	18,900.00
<b>Mortgage Amount</b>	\$	89,775.00	\$	85,050.00	\$	75,600.00
<b>Monthly Expenses</b>						
<i>Principal &amp; Interest</i>		\$690.29		\$653.96		\$581.30
<i>Real Estate Taxes</i>		144.19		144.19		144.19
<i>Private Mortgage Insurance</i>		60.00		40.00		0.00
<i>Homeowners Insurance</i>		40.00		40.00		40.00
<i>Association Fee</i>		50.00		50.00		50.00
<b>TOTAL Monthly Expenses</b>		<b>\$984.48</b>		<b>\$928.15</b>		<b>\$815.49</b>
<b>Minimum Income Required</b>	\$	35,799	\$	33,751	\$	29,654

***NOTES:***

*ALL Values are estimates and are subject to change*

*Acton Tax Rate = \$18.31 per thousand*

*A 20% Down Payment will eliminate Private Mortgage Insurance*

*Minimum Income Required based upon 33% Housing Ratio*

***Harris Street Village***  
*Acton, Massachusetts*

**Local Preference Guidelines**

*Established by Acton Community Housing Corporation*

Local preference is given to people who meet one or more of the following criteria:

1. Employed by the Town of Acton, Acton-Boxborough Regional School District or Acton Water District
2. Current Acton Resident
3. Child of Current Acton Resident
4. Employee Working in Acton

***IN ALL CASES APPLICANTS MUST BE A FIRST TIME HOMEBUYER!!***

To: Betty McManus

From: Mark O'Hagan 

Re: Lottery Information Packet for Distribution

Date: February 3, 2000

---

Attached please find the information packet I have prepared for the Harris Village & Westside Village lottery program. When sent out I will separate the common information, the Harris Village info, and the Westside Village info. Also attached is an updated listing of people that I will be sending out information to. This includes the names from the original list you gave me back in '98, the names you gave me last week and people that participated in the Bellows Farm lottery.

Please review the information and let me know if there are any questions. I will be preparing to send out the mailing as soon as I hear from you. I hope to also have ads running late next week.

I look forward to hearing from you.

# Acton Housing Outreach

**HARRIS VILLAGE**  
By Northwest Development LLC

And

**WESTSIDE VILLAGE**  
By Panetta Construction Co. Inc. &  
Macone Brothers Excavation, Inc.

## Introduction

We are please to announce the availability of eight NEW affordable homes in Acton to be sold by lottery to moderate income, first time homebuyers. These homes are to be available at two separate developments within Acton through a collaboration of efforts between two of Acton premiere builders and the Acton Community Housing Corporation (ACHC), Town of Acton and the Commonwealth of Massachusetts Department of Housing & Community Development (DHCD).

All homes will be sold by lottery for only \$94,500. Attached is all of the information you will need to ensure that you meet the program qualifications as well as the forms necessary to participate in the lotteries for the homes. The homes are to be sold in accordance with the DHCD's Local Initiative Program. Separate lotteries will be held for the individual developments so all applicants will have two opportunities to be selected.

## Public Information Meeting

To answer specific questions and to provide a detailed presentation of the program and the available opportunities we will be holding a *Public Information Meeting at the Acton Town Hall, Room 204 at 6:30PM on March 16, 2000*. At this meeting we can answer all of your questions and help you complete the application if needed. Please review the attached information to make sure you qualify for the program.

## Application Submission

All applications and Affidavit & Disclosure Forms must be dropped off at the Acton Housing Authority located at 68 Windsor Avenue in Acton or mailed to Acton Housing Outreach c/o MCO & Associates, 62 Green Road, Bolton, MA 01740. *All application must be received at Acton Housing Authority by 4PM, March 31, 2000. Any mailed applications must be post-marked by March 31, 2000 to be considered.* Applications received after this date will not be considered.

## The Lottery

*The lottery for the available homes will be held at the Acton Town Hall, Room 204 on April 11, 2000 at 6:30PM.* Although not required, all applicants are encouraged to attend. Please be advised that we will be holding two lottery's for the two developments. Both developments offer four available homes. Applicants must complete the enclosed applications for consideration for both lottery's. If only one application is received you will only be included for that lottery.

Please call *MCO & Associates at 978-779-0113* to make a reservation for the Public Information Meeting if you are planning to attend. We wish you luck in the lottery process for homes at these two fine communities.

# Acton Housing Outreach

## Harris Village & Westside Village

### The Local Initiative Program (LIP) Question & Answer

#### What is LIP?

The Local Initiative Program creates a partnership that uses state, local and private resources to provide quality, affordable housing to income eligible, first time homebuyers.

#### Prospective Buyers must:

- Be a first time homebuyer (never owned or not owned a home as a principal residence for a period of three years)
- Have an annual household income of not more than \$47,800 (This includes all income from all household residents)
- Allowable assets can not exceed \$30,000 per household

#### How are the homes distributed?

The homes are distributed through a controlled lottery process. There will be preferences for "local residents" and minorities. The number of homes being distributed to the various pools of applicants was established by the Department of Housing and Community Development (DHCD). In all cases, households of two or more will be given a preference over individual applicants. See attached "Lottery Process" for additional information.

+ handicapped

#### What is the price of the homes?

All homes will be sold at the reduced price of only \$94,500. Home styles and floor plans for both Harris Street and Westside Village are included in the packet for review. Similar homes at the development will be sold traditionally with prices in the range of \$300,000.

#### Are there are restrictions?

YES. Deed restrictions are used to maintain the affordability of the homes for future buyers while permitting the owner to share in the appreciation of the home. Specifically, a discount rate (the percentage difference in the LIP price and the appraised value of the home) is established by Deed Rider and will legally stay with the home in perpetuity.

For example, assume the discounted LIP price of \$94,500 and the appraised value of the home of \$300,000. The discount rate would be 68.5% ( $300K - 94.5K / 300K = .685$  or 68.5%). If the original buyer decides to sell the home in 5 years and the appraised value of the home has increased to \$350,000, the LIP price for resale would be discounted by 68.5% to \$110,250 and be sold to a qualified, income eligible first time homebuyer.

#### How much money do I need to make to afford the home?

The minimum income required to purchase is based solely upon an applicant's ability to secure a mortgage. Attached is an "Affordability Analysis" based upon current interest rates, anticipated real estate taxes, other expenses and a variety of down payment options to help you check your own qualifications. Based on a 5% down payment, using traditional bank underwriting practices, the minimum income, pending other debt you may have, would be approximately \$36,000 per year.

#### How do I participate?

To be included in the lottery process you must fill out the attached applications for Harris Street and Westside Village and the Affidavit & Disclosure Form. The deadline for accepting applications is March 31, 2000. They can be dropped off at Acton Housing Authority up to 4PM or, if being mailed, they need to be post-marked by March 31, 2000.

Location for Drop Off  
Acton Housing Authority  
68 Windsor Avenue  
Acton, MA 01720

To Mail  
Acton Housing Outreach  
c/o MCO & Associates, Inc.  
62 Green Road  
Bolton, MA 01740

*If you need copies of the information packet or have questions please call Mark O'Hagan of  
MCO & Associates, Inc. at 978-779-0113.*

# Acton Housing Outreach

## Harris Village & Westside Village

### Lottery Process

Due to the nature of the availability of the affordable homes it is important for everyone to under the procedure. The process outlined below will be done for each development.

### Lottery Pools

There will be four (4) homes available at both Harris Street Village and Westside Village. The four homes are to be distributed through three lottery pools which have been designated a certain number of homes. These include:

Pool	Qualifications	Harris Street # of Homes	Westside # of Homes
Minority	Minority Applicants	1	1
Local	Applicants which must meet local requirements (See attached Local Preference Guidelines)	2	2
Rest-of-State	All applicants (Includes Local & Minority)	1	1

+ handicapped

Applicants will be in *all* the pools they qualify for. For example, a local, minority applicant would participant in the minority pool, the local pool and the rest-of state pool and have three opportunities to be selected. Local applicants would have two opportunities with the local and rest-of-state pools.

All of the applicants for a given pool will be pulled at the time of the lottery. This will establish the rankings for the distribution of the homes. For example, if there are 40 local applicants, the first 2 would have a chance at a home, and the remaining 38 applicants would establish the waiting list if any of the first 2 drop out for some reason.

### Family Preference

In all cases, preference will be given to households of two or more people. Individual applicants will not have the opportunity to purchase a home unless all households of two or more have had an opportunity to purchase.

### Time Frames

Both developments are currently under construction and it is anticipated that the first home at each property will be ready on or about May 31, 2000. It is estimated that the remaining affordable homes will be completed and ready for occupancy over the following 8 to 12 months.

Once you have been selected for a home you will speak with or meet with a representative to review your application in greater detail to verify any necessary information. Applicants that are selected for homes that are already approaching completion will need to start working with the designated bank immediately to secure the necessary mortgage. Please be advised the final official income will be done at the time you would have an opportunity to purchase a home. Meaning, if seven months after the initial lottery you have the opportunity to purchase a home and you are over income at that time, you may not be able to purchase.

### Acceptance of Homes

It is important for all applicants to understand that specific homes are attached to specific lottery rankings based upon the projected availability of the completed house. Applicants will not have a choice of home locations, style or schedules. You will not be able "pass" on a home and wait for the next home. If you choose not to take the available home that is designated to you, you will go to the bottom of the list and most likely will not have another opportunity.

### Summary

We hope this helps explain the process by which the homes will be distributed. It can be a lengthy and sometimes complicated process. We greatly appreciate your participation and we wish you the best of luck in the lottery.

# **Acton Housing Outreach**

**Harris Village & Westside Village**

**Local Preference Guidelines**

**Established by Acton Community Housing Corporation**

Local preference is given to people who meet one or more of the following criteria:

1. Employed by the Town of Acton, Acton-Boxborough Regional School District or Acton Water District
2. Current Acton Resident
3. Child of Current Acton Resident
4. Employee Working in Acton (Geographically)

***IN ALL CASES APPLICANTS MUST BE A FIRST TIME HOMEBUYER!!***



# F.Y.I.

## **DATES FOR LOTTERY PROCESS FOR HARRIS VILLAGE & WESTSIDE VILLAGE**

*Public Information Meeting*

*March 16, 2000 @6:30  
Room 204 – Town Hall*

*Last Date for Accepting Applications*

*March 31, 2000*

*Lottery Date*

*April 11, 2000 @ 6:30  
Room 204 – Town Hall*

*Based on these dates Homebuyers should be ready to close  
approximately May 31, 2000.*

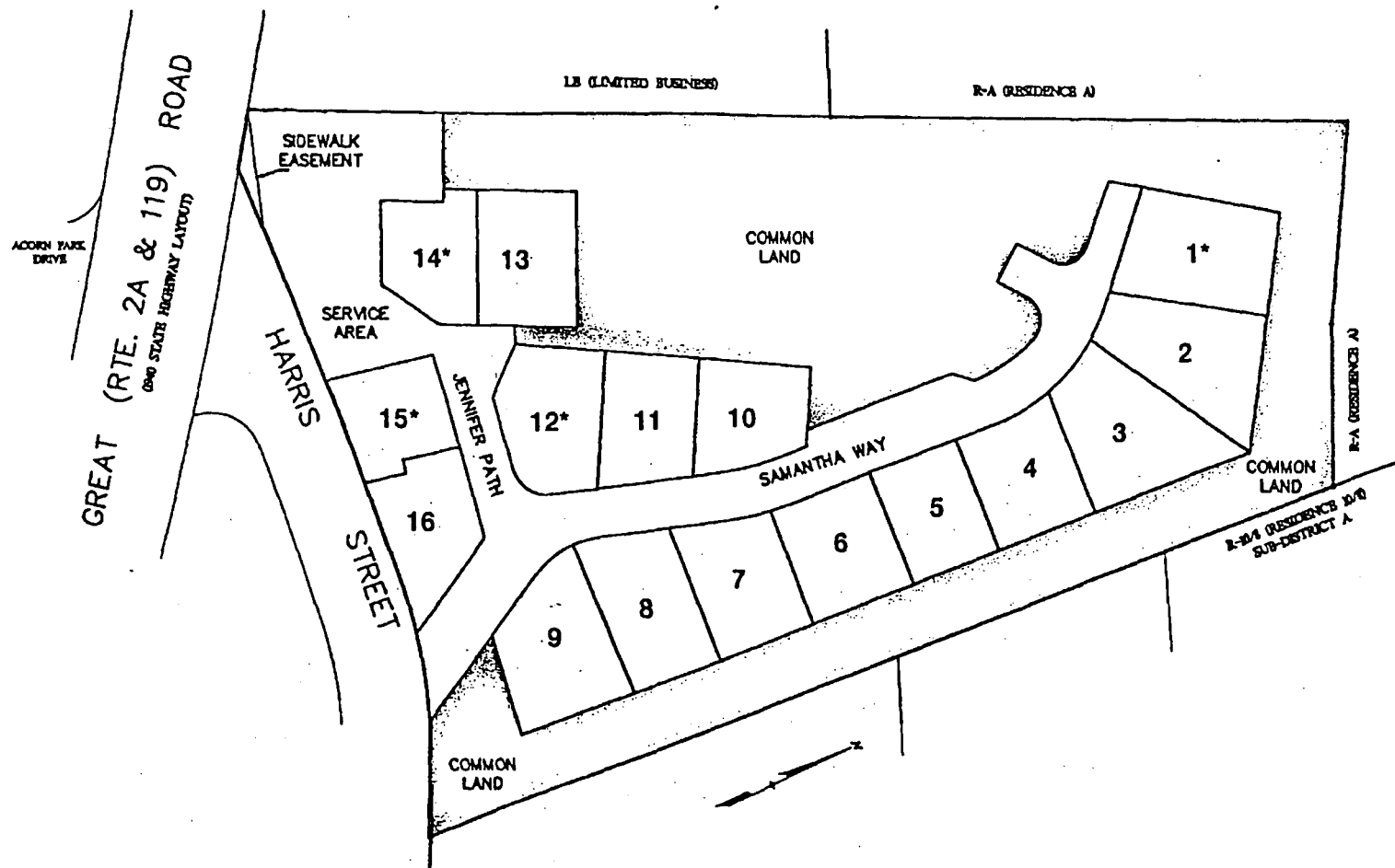
*Dates subject to change based upon availability of Town Hall Facility.  
These dates are currently set aside.*



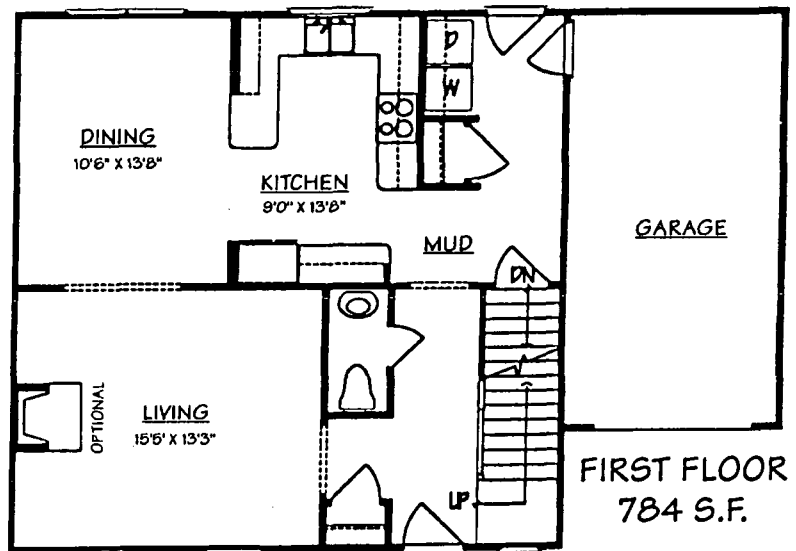
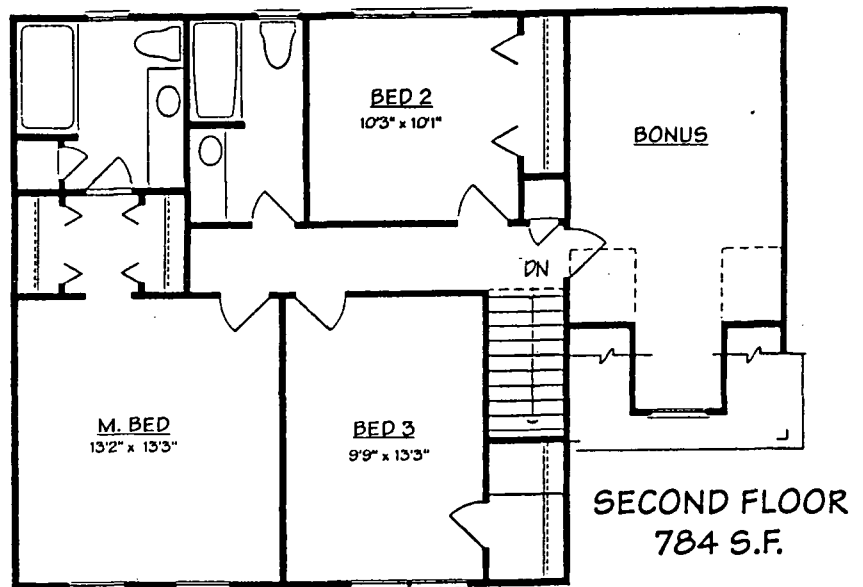


## Site Plan

*\*Denote Affordable Home Locations  
Available through Lottery*



Lot sizes range in size from 2400 s.f. to 4500 s.f.



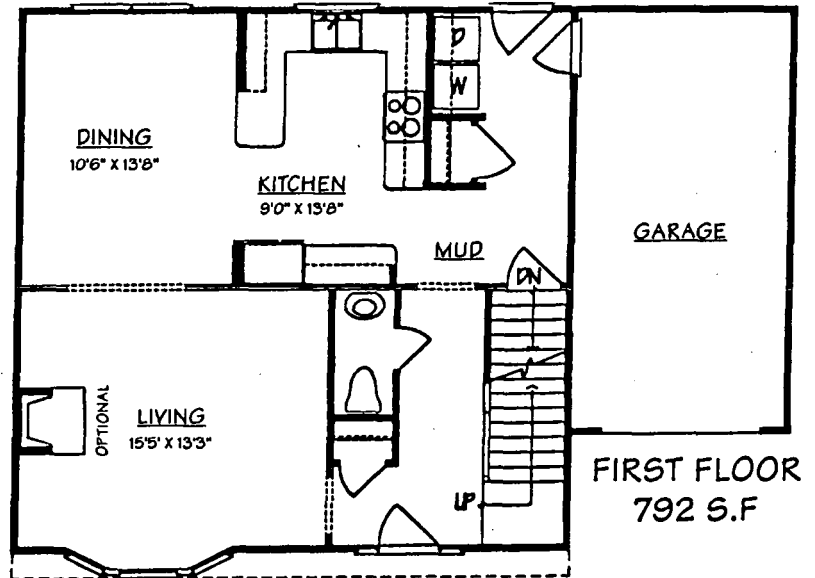
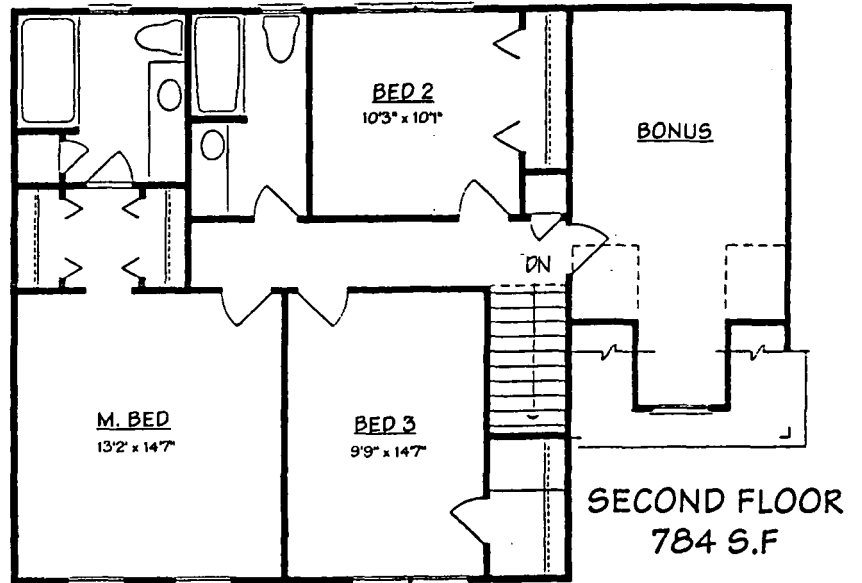
**BONUS**  
**201 S.F.**

**1769 S.F. TOTAL**



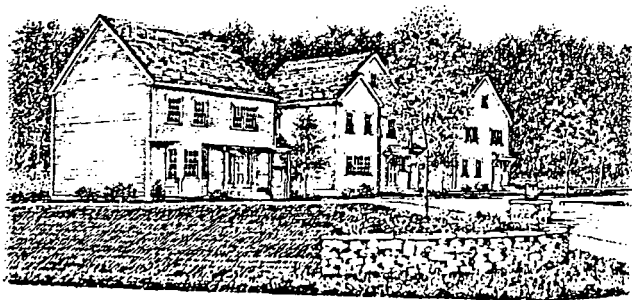
**“The Bristol”...**  
is exclusively available on E.U.A.'s 4, 7, 10 & 13

The dimensions, size, configurations, optional extras and other information on the floor plans are meant to be illustrative only. As built conditions of each home may vary.



**BONUS**  
**201 S.F.**

**1777 S.F. TOTAL**



**“The Oxford”...**

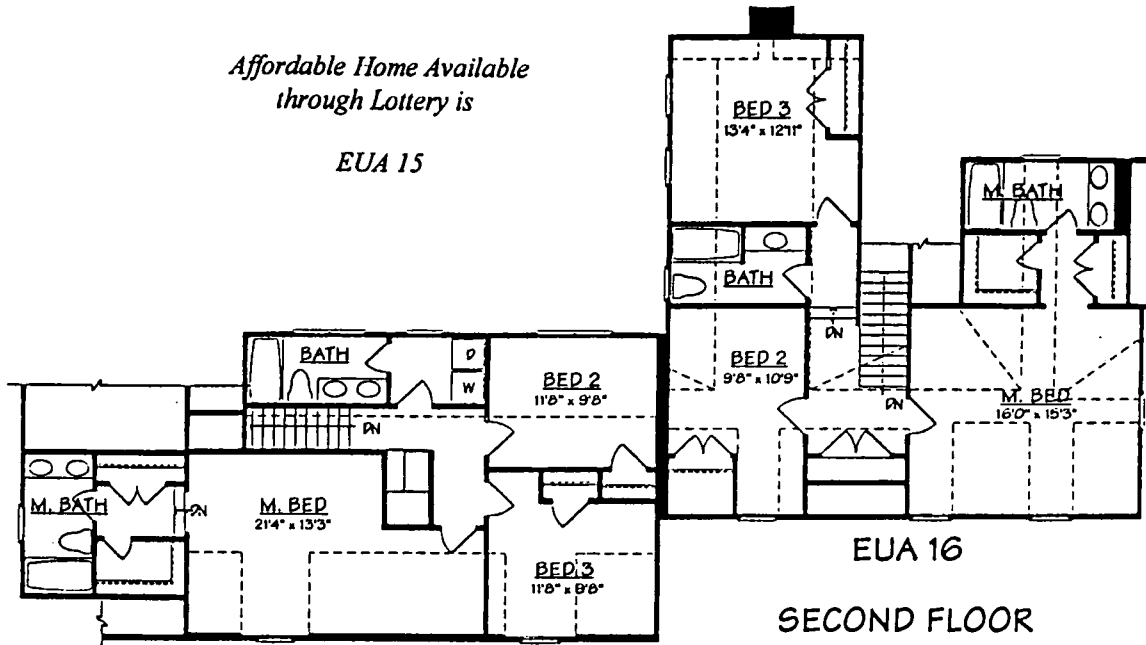
is exclusively available on E.U.A.'s 3, 6 & 9

12, 14

The dimensions, size, configurations, optional extras and other information on the floor plans are meant to be illustrative only. As built conditions of each home may vary.

Affordable Home Available  
through Lottery is

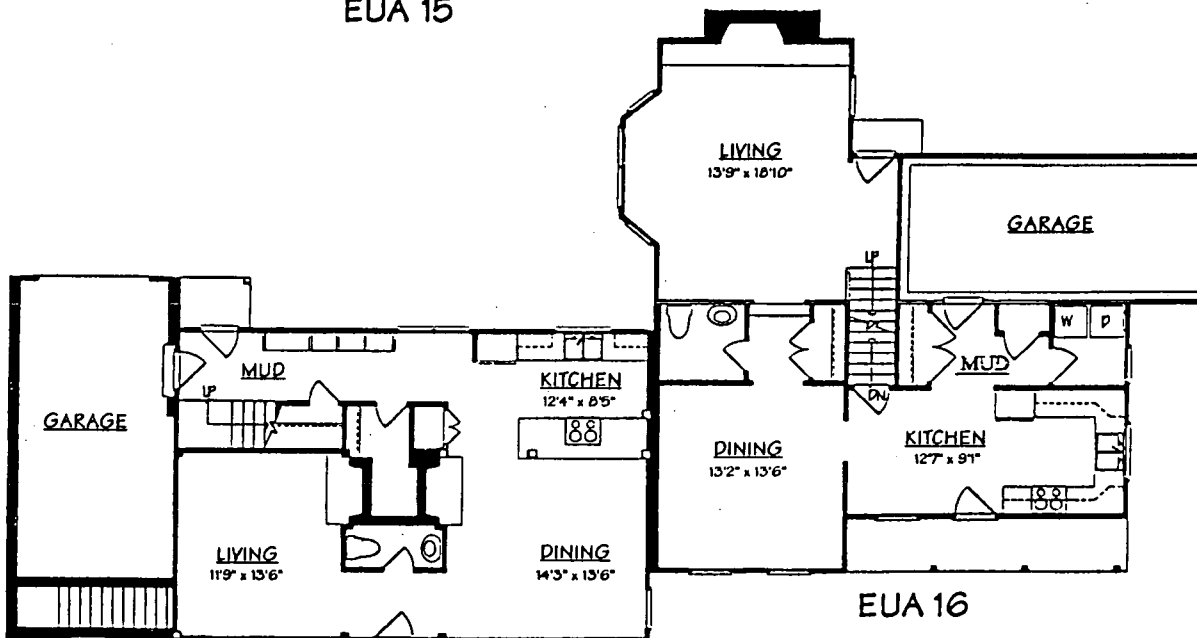
EUA 15



EUA 15

EUA 16

SECOND FLOOR



EUA 15

EUA 16

FIRST FLOOR



# The Historic Homesite

The dimensions, size, configurations, optional extras and other information on the floor plans are meant to be illustrative only. As built conditions of each home may vary.

# HARRIS VILLAGE SPECIFICATIONS

## CONCRETE FOUNDATION

Foundation walls are approximately 10" thick poured concrete. Basement and garage floors are 4" poured concrete. A passive radon vent will be installed.

## EXTERIOR CONSTRUCTION

Roofing material is 25-year architectural shingles. Exterior walls are nominal 2" by 4". Siding is Monogram™ vinyl with Tyvec™. Front steps are precast concrete and lead to a paved walk and driveway. A 10' by 10' patio is included. Two frost proof exterior faucets are provided.

## INTERIOR WALLS AND INSULATION

Interior walls are 1/2" blueboard with skimcoat plaster and ceiling height is 8'. Full wall batts are R-13 with vapor barrier including sheathing and siding. Ceilings are R-30, basement ceilings are R-19.

## WINDOWS AND DOORS

Windows are 6 over 6 vinyl-insulated tilt out with screens. Exterior doors are 6-panel insulated steel. Garage doors are raised panel, insulated steel with remote openers and keypad. Interior doors are raised panel with Schlage™ F-series standard round passage sets.

## HVAC

Heating is by 2-zone gas fired warm air system. Each home is individually air conditioned by a central cooling system. A 40-gallon insulated hot water heater is included.

## ELECTRICAL

All homes have 200 AMP service and are wired with smoke and heat detectors as per code. Two exterior outlets are provided.

## CABLEVISION AND TELEPHONE

All homes are pre-wired for cable television with outlets provided in the family room and master bedroom. Telephone outlets are provided in the kitchen, family room and master bedroom.

## INTERIOR TRIM

All doors, windows and cased openings are trimmed with 2-1/2" Colonial casing. Crown molding is provided in the living and dining rooms with chair rail in the dining room. Vinyl coated wire shelving is provided in all closets.

## FLOORING

Front foyer has oak hardwood. Tile is included in kitchen, baths and mudroom. Carpet is standard in all remaining rooms.

## KITCHEN

Counter tops are post form rolled edge laminate. Cabinets feature wood doors and 3/4" adjustable shelving with concealed hinges. Five recessed lights with one dimmer are included. Appliances include a gas range, microwave and dishwasher by Whirlpool™.

## BATHROOMS

All plumbing fixtures by Kohler™. Vanity cabinets include a single porcelain bowl. Full baths have a fiberglass combination tub/shower unit. Powder rooms have a pedestal sink. All baths include a fan/light unit and mirrors.

## PAINTING

All interior wood trim is primed, followed by two coats of China white semi-gloss paint. All walls will be primed and painted with two coats of Linen or China white flat latex paint. Paint by Benjamin Moore™.

## RIGHT TO SUBSTITUTE

Harris Village reserves the right to substitute any materials, framing systems, appliances, and the like at any time so long as the substitution is of equal or better value and quality.

January 2000



*"...Builders of Quality, Integrity and Value..."*

978-263-7957

[www.nwdevelopment.com](http://www.nwdevelopment.com)



## COMMONLY ASKED QUESTIONS ABOUT HARRIS VILLAGE

### What does my monthly fee cover?

The monthly fee pays for the following services:

- All common area maintenance
- Mowing of all lawns (Common & Individuals EUA's)
- Snow plowing of roadway
- Maintenance of shared septic system
- Reserves for replacement of common facilities

### What is an EUA?

The Exclusive Use Area (EUA) is the area surrounding each residence that the homeowner has exclusive control over. At Harris Village these areas range in size from 2400 to 4500 square feet. Although homeowners share ownership of all common areas, homeowners are responsible for the general upkeep and maintenance of their homes exterior. Homebuyer's should review the Master Deed and Homeowner's Trust for additional details.

**Harris Village is made possible by:**



*"...Builders of Quality, Integrity and Value..."*

978-263-7957

[www.nwdevelopment.com](http://www.nwdevelopment.com)

**Northwest Development LLC has an accomplished history of building in Middlesex County. A partial list of projects includes *Bellows Farm* in Acton, *Monument Farm* in Concord, *Tall Pines* in Carlisle, *Greystone Estates* in Westford, *Country Side Estates* in Andover and *Pondview Estates* in Stow, MA. Northwest has also built homes in the Lakes Region of New Hampshire and is currently building on Cape Cod at the *Ballymeade Country Club*.**



**Harris Street Village**  
Acton, Massachusetts

✓  
which  
pools?

Home Availability

	<u>Unit #</u>	<u>Home Style</u>	<u>Estimated Completion</u>
Home 1	1	Bristol	June 2000
Home 2	12	Oxford	June 200
Home 3	14	Oxford (Handicap Accessible)	September 2000
Home 4	15	Located in Historic Homesite	September 2000

- *Estimated Completion is when the selected applicants would be expected to have secured the necessary mortgage and would be ready to purchase and move into the home.*
- *This is a preliminary Schedule that is subject to change.*

**Harris Village**  
*Acton, Massachusetts*

***AFFORDABILITY ANALYSIS***

Home Price	\$	94,500	\$	94,500	\$	94,500
Interest Rate		8.50%		8.50%		8.50%
Down Payment (%)		5.00%		10.00%		20.00%
Down Payment (\$)	\$	4,725.00	\$	9,450.00	\$	18,900.00
Mortgage Amount	\$	89,775.00	\$	85,050.00	\$	75,600.00
Monthly Expenses						
Principal & Interest		\$690.29		\$653.96		\$581.30
Real Estate Taxes		144.19		144.19		144.19
Private Mortgage Insurance		60.00		40.00		0.00
Homeowners Insurance		40.00		40.00		40.00
Association Fee		50.00		50.00		50.00
TOTAL Monthly Expenses		\$984.48		\$928.15		\$815.49
Minimum Income Required	\$	35,799	\$	33,751	\$	29,654

***NOTES:***

*ALL Values are estimates and are subject to change*

*Acton Tax Rate = \$18.31 per thousand*

*A 20% Down Payment will eliminate Private Mortgage Insurance*

*Minimum Income Required based upon 33% Housing Ratio*

**Harris Street Village**  
Acton, MA

**LIP APPLICATION**

*need  
handicapped  
section*

Date: \_\_\_\_\_

**PERSONAL INFORMATION:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Town: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_ SS#: \_\_\_\_\_

Have you ever a home? \_\_\_\_\_. If so, when did you sell it? \_\_\_\_\_

Are you are Current Resident of Acton? \_\_\_\_\_

Are your parents living in Acton? \_\_\_\_\_

Please provide name & address \_\_\_\_\_  
\_\_\_\_\_

Are you currently employed by the Town of Acton? \_\_\_\_\_

If yes, what position? \_\_\_\_\_

**FINANCIAL WORKSHEET:**

Borrowers Monthly Base Income (Gross) \_\_\_\_\_

Other Income \_\_\_\_\_

Co-Borrowers Monthly Base Income (Gross) \_\_\_\_\_

Other Income \_\_\_\_\_

**TOTAL MONTHLY INCOME:** \_\_\_\_\_ (A)

Principal & Interest "See Affordability Analysis" \_\_\_\_\_

Real Estate Taxes \_\_\_\_\_

Private Mortgage Insurance \_\_\_\_\_

Association Fee \_\_\_\_\_

Homeowners Insurance \_\_\_\_\_

**TOTAL PROJECTED MONTHLY HOUSING EXPENSE:** \_\_\_\_\_ (B)

Monthly Installment Loans (Car, Student, Personal, etc.)\* \_\_\_\_\_

Revolving Credit (Credit Cards) Use 5% of Balances \_\_\_\_\_

**TOTAL MONTHLY OBLIGATIONS:** \_\_\_\_\_ (C)

**RATIOS:** (Use Values from above to calculate)

\*\* Monthly Housing Ratio: \_\_\_\_\_ (B) / (A)

\*\*\* Total Obligations Ratio: \_\_\_\_\_ (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.

\*\* Should NOT exceed 33%      \*\*\* Should NOT exceed 38%

EMPLOYMENT STATUS:

Employer: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Hire (Approximate): \_\_\_\_\_

Annual Wage - Base: \_\_\_\_\_

Additional: \_\_\_\_\_ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents (#)
White	_____	_____	_____
Black	_____	_____	_____
Hispanic	_____	_____	_____
Asian American	_____	_____	_____
Native American	_____	_____	_____
Other	_____	_____	_____

The total household size is \_\_\_\_\_

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$47,800 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

The down payment must be a minimum of 5% based upon standard underwriting procedures. Some of this may be in the form of a gift depending on the lending institution. Applicants will be responsible for all closing costs associated with the purchase of a home.

SIGNATURES:

The undersign warrants and represents that all statements herein are true. It is understood that the sole use of this application is to establish the preliminary requirements for placement into a lottery to have an opportunity to purchase an affordable home at Harris Street Village.

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Applicant(s)

Based upon the preliminary information provided it is my judgement that the applicant should be allowed to participate in the lottery for affordable homes at Harris Street Village. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Certifying Agent

NOTES:

# Acton Housing Outreach

Harris Village & Westside Village

## Affidavit & Disclosure Form

+ handicapped

I understand and agree to the following conditions and guidelines regarding the distribution of the affordable homes through the LIP program in Acton, MA:

1. The annual household income for my family does not exceed \$47,800. Income from all family members has been included.
2. Total assets for the household do not exceed \$30,000.
3. I have not individually or jointly owned a home, condo or co-op as a principal residence within the past three (3) years.
4. The family size listed on the application form includes *only and all the people that will be living in the residence.*
5. All data supplied on the application is true and accurate to the best of my knowledge and can be verified if requested.
6. If selected for the purchase of a home, all data supplied to the bank for mortgage purposes can be reviewed by Acton Community Housing Corporation, as needed, to verify application data.
7. I understand that if I am selected and have the opportunity to purchase a home, I have the option to take the home that is offered or to go to the bottom of the waiting list. I cannot "pass" on a home for any reason and expect an opportunity to purchase the next available home.
8. Program requirements are established by DHCD and are subject to periodic revision. I agree to be bound by whatever program changes that may be imposed at any time throughout the process.
9. I understand that by being selected in the lottery does not guarantee that I will be able to purchase a home. I understand that all application data will be verified and my qualifications will be reviewed in detail prior to purchasing a home. If any data was incorrect or misinterpreted I may not have the opportunity to purchase through this program.
10. I understand that it is my obligation to secure the necessary mortgage for the purchase of the home through the designated bank and any and all expenses, including closing costs and down payments, are my responsibility.

I have completed an application and have reviewed and understand the process that will be utilized to distribute the available homes through Acton Housing Outreach at Harris Village and Westside Village in Acton, MA and I am qualified based upon the program guidelines.

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Date:

# WESTSIDE VILLAGE

A 16 Lot Affordable Subdivision

Developed by  
Panetta Construction Co. Inc. &  
Macone Brothers Excavation, Inc.



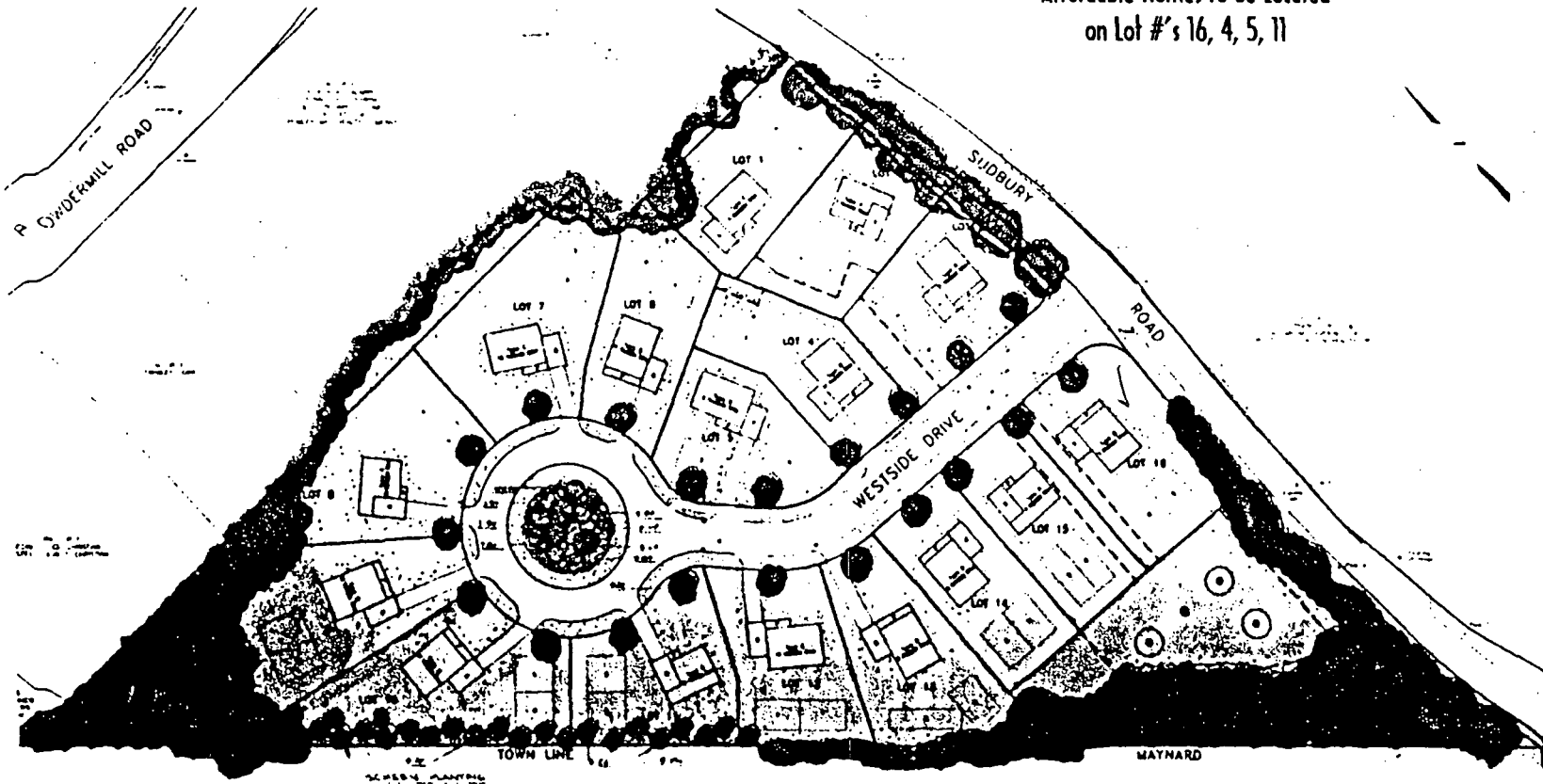
Located on Sudbury Road, 1/4 mile off Powdermill Road, Acton, Massachusetts

# WESTSIDE VILLAGE

A 16 Lot Subdivision

Located on Sudbury Road, 1/4 mile off Powdermill Road, Acton

Affordable Homes to be Located  
on Lot #'s 16, 4, 5, 11

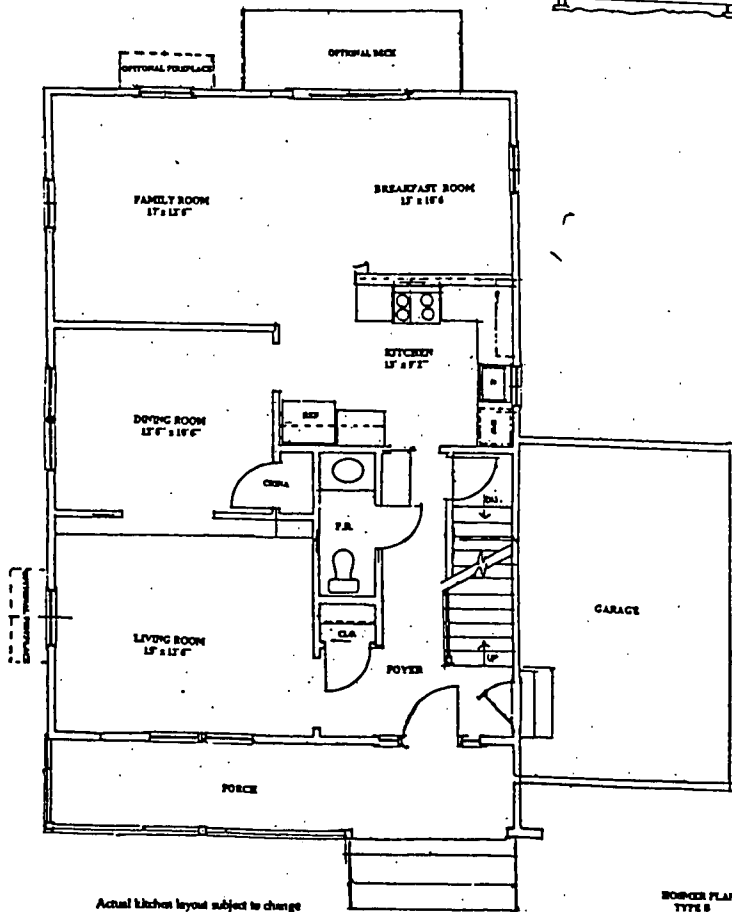


<p>Scale 1" = 100' 0"</p>	<p>OWNER RENEE L. SCHUBERT 101 WILSON AVE SUDBURY, MASS 01891</p>	<p>DEVELOPER WESTSIDE VILLAGE</p>
<p>Survey of Proposed Subdivision</p>	<p>Survey of Proposed Subdivision</p>	<p>Survey of Proposed Subdivision</p>

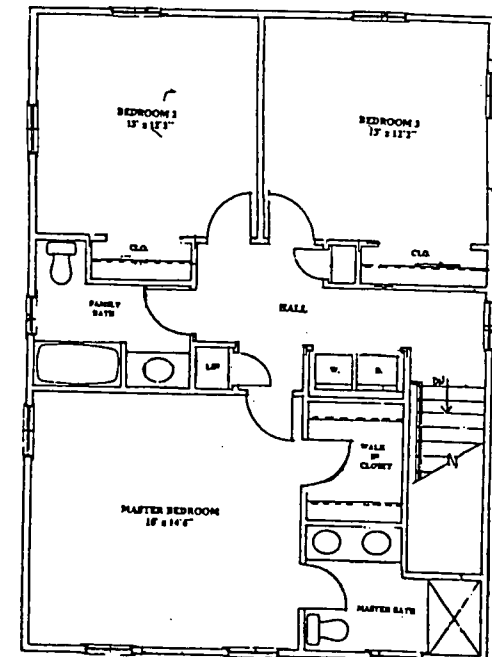


# WESTSIDE VILLAGE Hosmer Plan

1,872 Square Feet  
Lot # 16 & Lot # 4



BOSMER PLAN  
TYPE 8  
WESTSIDE VILLAGE

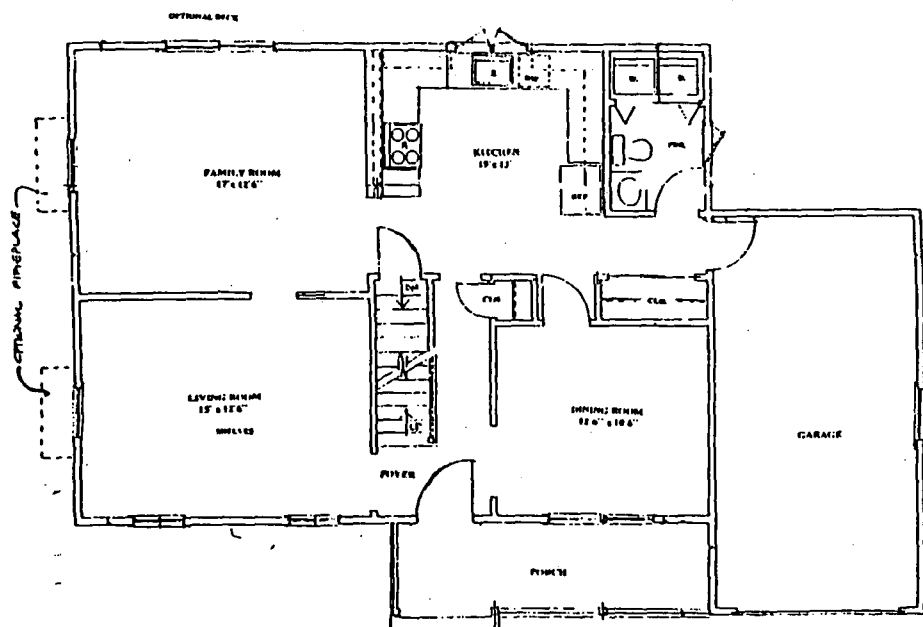






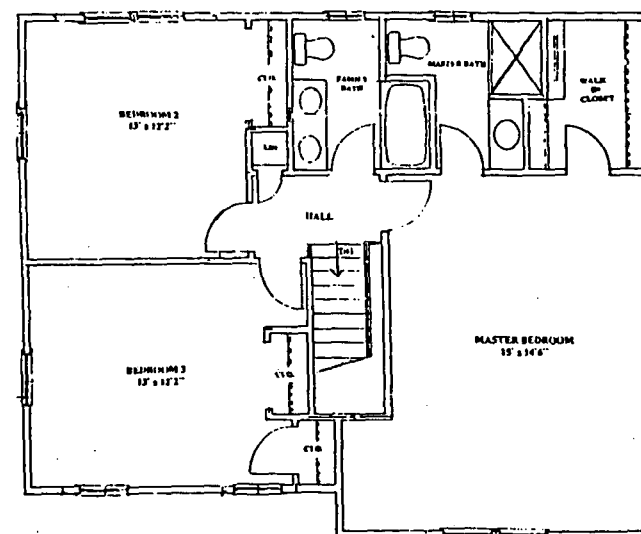
# WESTSIDE VILLAGE Hayward Plan

1,918 Square Feet  
Lot # 5



Actual kitchen layout subject to change

HAYWARD PLAN  
TYPE C  
FIRST FLOOR

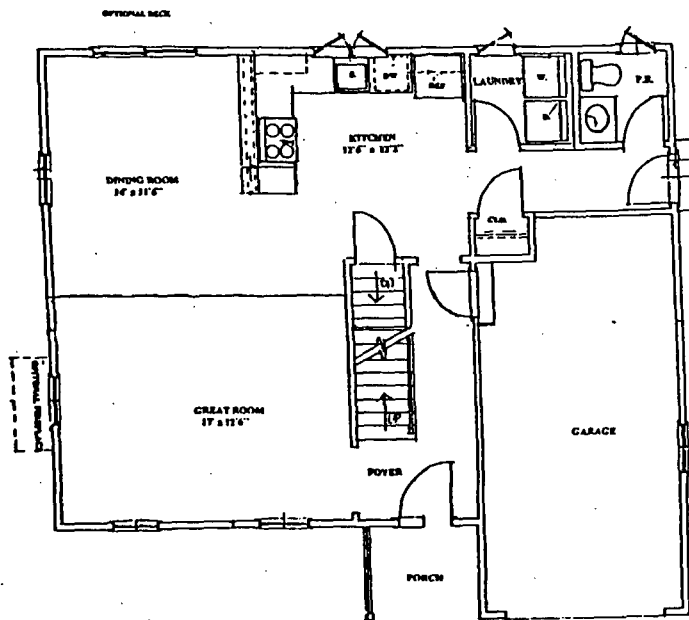


HAYWARD PLAN  
TYPE C  
SECOND FLOOR



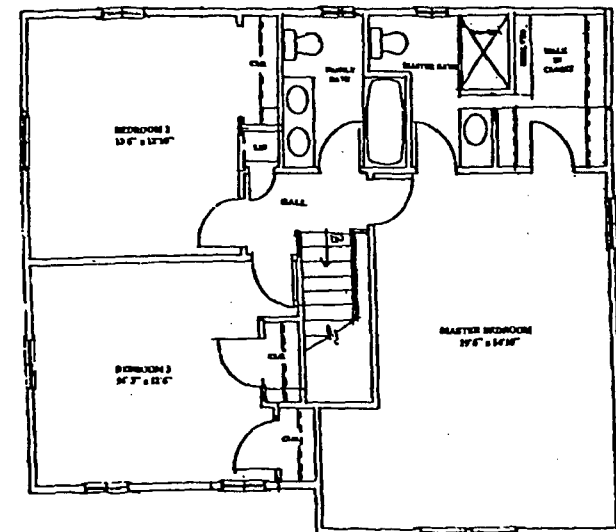
# WESTSIDE VILLAGE Davis Plan

1,732 Square Feet  
Lot # 11



Actual kitchen layout subject to change

DAVIS PLAN  
TYPE A  
FIRST FLOOR



DAVIS PLAN  
TYPE A  
SECOND FLOOR

# WESTSIDE VILLAGE SPECIFICATIONS

## FOUNDATION:

Cast in place 10-inch thick concrete 3000 P.S.I. on 20" wide footing through out, damp proofed to just below finish grade.

## EXTERIOR ARCHITECTURAL FEATURES:

Custom architectural designed Village Colonial style Featuring three different elevations and floor plans to choose from.

## FRAMING:

- a) Floor joist: 2x10 k.d.... spruce or hem/fir.
- b) Sub floor: ¾ inch span rated tongue and groove, glued and nailed to joist.
- c) Wall framing: 2x4 construction with ½ sheathing, covered with "Tyvec" house wrap.
- d) Siding: Monogram Vinyl siding by Certain Teed. Coordinating Shutters, color by selection chart.
- e) Roofs: Bithuthane Ice & Water shield for first 3 feet. 25 year graded Shingles with soffit & ridge venting system, rafters are K.D. 2x8, and or truss system.

## INSULATION:

- a) Basement ceiling R-19
- b) Exterior Walls R-11
- c) Attic Floor R-30

## EXTERIOR DOORS:

- a) Steel insulating doors.

## INTERIOR FINISHES:

- a) Walls: Skim coat plaster with 2 coats of Latex Flat paint. Color: Linen White
- b) Door & Window Trim: 2-½ inch colonial.
- c) Baseboard: 3-½ inch o.g.
- d) Paint: 2 coats Latex semi gloss. Color: White
- e) Wood: Paint grade.
- f) Interior Doors: Masonite with 2 coats semi gloss paint and Schlage F series type passage sets.

## FLOORING:

- b) Vinyl: All baths, kitchen, mud area And laundry, Foyer
- c) Carpet: All other areas. Standard One color throughout. 60 ounce Pad.

## APPLIANCES:

- a) Stove: Whirlpool RF362BXG. Performance features include Balanced Bake System, upswept Porcelain SpillGuard lift-up Cooktop, two 6" and two 8" high-speed coil elements and self-cleaning oven with automatic door latch. Available in white-on-white or white with black.
- b) Range Hood: RH2330XD. 30" in black-on-black or white-on-White.
- c) Dishwasher: Whirlpool DU10DWG. Two level DuraWash, five cycles, Pots & Pan Cycle, Air Dry/Heat Dry, Custom Sound Pack. Available in white or black.

## KITCHEN:

**ELECTRICAL:**

- a) Service: Underground utilities by Boston by Boston Edison.
- b) Telephone: Underground by Bell Atlantic. Jacks in Family Room, Kitchen and Master Bedroom.
- c) Cable TV: Underground service. Family Room jack supplied.

**WINDOWS:****HEATING:**

Lennox forced hot air system fired by gas.  
High efficiency direct vent.

**LIGHTING:**

Standard Package:

- a) Outside lights, gold plated.
- b) Dining room fixture is a solid brass Williamsburg style.
- c) Powder room and master bath are decorative style vanity lights.
- d) Family bath with Hollywood light.
- e) Foyer, inner foyer and up-stairs hall is solid brass in a style consistent with the dining room.
- f) Garage with white double floodlight.
- g) Door chime CD125.

Or \$600.00 allowance to be at used Westford Home Lighting Inc.

**BATH ROOM FIXTURES:****DRIVEWAY:**

Bituminous asphalt paving.

**WALKWAYS:**

Bituminous asphalt or stepping stones.

**DECK:**

Pressure treated wood 10 x 10.

**Note:**

- a) Room partition dimensions may vary due to utility chaseways.
- b) Allowances include tax.
- c) Westside Village reserves the right to substitute for equal or better quality.

**Westside Village**  
Acton, Massachusetts

**Home Availability**  
LIP Program Lottery

	<u>Lot #</u>	<u>Home Style</u>	<u>Lot Size</u>	<u>Estimated Completion</u>
Home 1	16	Hosmer	11,028 s.f.	May/June 2000
Home 2	4	Hosmer	8,439 s.f.	July/Aug 2000
Home 3	5	Hayward	8,598 s.f.	Sept/Oct 2000
Home 4	11	Davis	9,805 s.f.	Feb/March 2000

- *Estimated Completion is when the selected applicants would be expected to have secured the necessary mortgage and would be ready to purchase and move into the home.*
- *This is a preliminary Schedule that is subject to change.*

**Westside Village**  
Acton, Massachusetts

**AFFORDABILITY ANALYSIS**

Home Price	\$	94,500	\$	94,500	\$	94,500
Interest Rate		8.50%		8.50%		8.50%
Down Payment (%)		5.00%		10.00%		20.00%
Down Payment (\$)	\$	4,725.00	\$	9,450.00	\$	18,900.00
Mortgage Amount	\$	89,775.00	\$	85,050.00	\$	75,600.00
Monthly Expenses						
Principal & Interest		\$690.29		\$653.96		\$581.30
Real Estate Taxes		144.19		144.19		144.19
Private Mortgage Insurance		60.00		40.00		0.00
Homeowners Insurance		40.00		40.00		40.00
TOTAL Monthly Expenses		\$934.48		\$878.15		\$765.49
Minimum Income Required	\$	33,981	\$	31,933	\$	27,836

**NOTES:**

*ALL Values are estimates and are subject to change*

*Acton Tax Rate = \$18.31 per thousand*

*A 20% Down Payment will eliminate Private Mortgage Insurance*

*Minimum Income Required based upon 33% Housing Ratio*

*Westside Village*  
*Acton, MA*

*no handi requirement*

**LIP APPLICATION**

Date: \_\_\_\_\_

PERSONAL INFORMATION:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Town: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Work Telephone: \_\_\_\_\_ SS#: \_\_\_\_\_

Have you ever a home? \_\_\_\_\_ If so, when did you sell it? \_\_\_\_\_

Are you are Current Resident of Acton? \_\_\_\_\_

Are your parents living in Acton? \_\_\_\_\_

Please provide name & address \_\_\_\_\_

Are you currently employed by the Town of Acton? \_\_\_\_\_

If yes, what position? \_\_\_\_\_

FINANCIAL WORKSHEET:

Borrowers Monthly Base Income (Gross) \_\_\_\_\_

Other Income \_\_\_\_\_

Co-Borrowers Monthly Base Income (Gross) \_\_\_\_\_

Other Income \_\_\_\_\_

**TOTAL MONTHLY INCOME:** \_\_\_\_\_ (A)

Principal & Interest "See Affordability Analysis" \_\_\_\_\_

Real Estate Taxes \_\_\_\_\_

Private Mortgage Insurance \_\_\_\_\_

Association Fee \_\_\_\_\_

Homeowners Insurance \_\_\_\_\_

**TOTAL PROJECTED MONTHLY HOUSING EXPENSE:** \_\_\_\_\_ (B)

Monthly Installment Loans (Car, Student, Personal, etc.)\* \_\_\_\_\_

Revolving Credit (Credit Cards) Use 5% of Balances \_\_\_\_\_

**TOTAL MONTHLY OBLIGATIONS:** \_\_\_\_\_ (C)

RATIOS: (Use Values from above to calculate)

\*\* Monthly Housing Ratio: \_\_\_\_\_ (B) / (A)

\*\*\* Total Obligations Ratio: \_\_\_\_\_ (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.

\*\* Should NOT exceed 33%      \*\*\* Should NOT exceed 38%

EMPLOYMENT STATUS:

Employer: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Hire (Approximate): \_\_\_\_\_

Annual Wage - Base: \_\_\_\_\_  
Additional: \_\_\_\_\_ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents (#)
White	_____	_____	_____
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Hispanic	_____	_____	_____
Asian American	_____	_____	_____
Native American	_____	_____	_____
Other	_____	_____	_____

The total household size is \_\_\_\_\_

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$47,800 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

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SIGNATURES:

The undersign warrants and represents that all statements herein are true. It is understood that the sole use of this application is to establish the preliminary requirements for placement into a lottery to have an opportunity to purchase an affordable home at Westside Village.

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Applicant(s)

Based upon the preliminary information provided it is my judgement that the applicant should be allowed to participate in the lottery for affordable homes at Westside Village. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Certifying Agent

NOTES:



# Acton Housing Outreach

## Harris Village & Westside Village

### Affidavit & Disclosure Form

I understand and agree to the following conditions and guidelines regarding the distribution of the affordable homes through the LIP program in Acton, MA:

1. The annual household income for my family does not exceed \$47,800. Income from all family members has been included.
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I have completed an application and have reviewed and understand the process that will be utilized to distribute the available homes through Acton Housing Outreach at Harris Village and Westside Village in Acton, MA and I am qualified based upon the program guidelines.

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Date:

<u>Full Name</u>	<u>Home Address</u>	<u>Town</u>
Amy Barrett	223 Central Street	Acton, MA 01720
Ann Glenn	380A Great Road #101	Acton, MA 01720
Ann Meehan	135 Amherst Street #3	Amherst, NH 03034
Arleen McGregor	536A Mass. Avenue	Acton, MA 01720
Azira Hasib	2 Drummer Road #D5	Acton, MA 01720
Barbara Gallant	15 Spencer Road #22E	Boxborough, MA 01719
Bedelia Labadie	39 A Markham Circle	Ayer, MA 01432
Ben Blum	1 Parker Place	Maynard, MA 01754
Brenda Bernosky	6 Baldwin Street	Newton, MA 02158
Cindy Everett	121 Concord Street	Maynard, MA 01754
Cynthia Robinson	18 Quimby Street	Watertown, MA 02472
Darlene Cuglietta	273 Forge Village Road	Groton, MA 01450
David & Scott Eisan	187 Great Road	Acton, MA 01720
David Bouchard	116 Thesda Street	Arlington, MA 02174
David Carr	815 Main Street	Acton, MA 01720
Dawn DeMinico	5 Heather Lane	Wakefield, MA 01880
Dawn Visco	7 South Street	Acton, MA 01720
Denyse Muise	436 Dawn Road	Maynard, MA 01754
Diane Krikorian	309 Farms Drive	Burlington, MA 01803
Diane Loughrey	128 Parker Street #1B	Acton, MA 01720
Donna Cassette	15 Great Road	Littleton, MA 01460
Donna Crutchfield	12 Sachem Way	Acton, MA 01720
Doug Estrich	27 Shore Road	Kingston, NH 03848
Elaine Bobek	P.O. Box 2384	Acton, MA 01720
Elaine Lawson	215 Taylor Street	Littleton, MA 01460
Elaine Newsham	382B Great Road #201	Acton, MA 01720
Elizabeth Searle	11 Sachem Way	Acton, MA 01720
Elke Shepard	P.O. Box 2561	Acton, MA 01720
Ellen Emberton	27 School Street #1	Acton, MA 01720
Ellen Fitzpatrick	177A School Street	Acton, MA 01720
Ervin Parris	14 Broadview Drive	Acton, MA 01720
Esclras V. Alves	35 Swanson Court #24D	Boxboro, MA 01719
Esther Muiesiguia	870 Moody Street #4	Waltham, MA 02453
Eunice Howard	58 Palomino Drive	Franklin, MA 02038
Faith Allen	P.O. Box 2008 - 128 Main Street	Acton, MA 01720
Gayle Lindquist	42 Spruce Street	Acton, MA 01720
Geoff Benarick	14 Walden Drive #8	Natick, MA 01760
George Chou	7 Wampus Avenue #14	Acton, MA 01720
Graeme Brent	Box <del>2372</del> 2313	Acton, MA 01720
Harold Rose	9 Davis Road #B-1	Acton, MA 01720
Hea Hart	269 Robinson Road	Boxborough, MA 01719
Heather Marceau	117 Central Street #B1	Acton, MA 01720
Jacqueline Lewis	16 Simon Willard Road	Acton, MA 01720
James Grodick	3 Elm Street #4	Acton, MA 01720
James McGowan	252 Littlefoeld Road	Boxborough, MA 01719
James O'Connell	14 Simon Willard Road	Acton, MA 01720
Jan DiBicco	166 Berkley Street	Waltham, MA 02154
Jane Kelly	223 Arlington Street	Acton, MA 01720
Janet Hannon	132 Parker Street #16	Acton, MA 01720

Jaye Hill	130 Parker Street#L3	Acton, MA 01720
Jennifer Depietri	117 Central Street #A12	Acton, MA 01720
Jill Larson	67 Hammond Street	Acton, MA 01720
Jill Primmer	12 Sachem Way	Acton, MA 01720
Jim Mahoney	299 School Street - Unit D	Acton, MA 01720
Joan Dudley	8 Sachem Way	Acton, MA 01720
Joe Nagle	23 Simmon Willard Road	Acton, MA 01720
Joel Gates	47 Valliria Drive	Groton, MA 01450
John Baird	813 Main Street	Acton, MA 01720
John Katz	189 University Avenue	Lowell, MA 01854-2424
Joseph Crosswhite	16 Simon Willard Road	Acton, MA 01720
Joseph Omoegbekuse	9 Sachem Way	Acton, MA 01720
Joseph White	P.O. Box 2744	Acton, MA 01720
Julia Flynn	8 Green Street	Medford, MA 02052
Karen Buzzard	81 Golden Avenue	Medford, MA 02155
Karen Orazio'zenizelos	4 Drummer Rd. #1E	Acton, MA 01720
Karen Rosteller	128 Parker Street #C-1	Acton, MA 01720
Kathy Willcut	20 Parker Street	Maynard, MA 01754
Kenneth & Linda Runion	11A Windsor Avenue	Acton, MA 01720
Kenneth Ineson	8 Russell Street	Hudson, MA 01749
Kevin & Cheryl Campbell	6 Drummer Road #3F	Acton, MA 01720
Kristina Sobel	1 Linden Street	Maynard, MA 01754
Kristine Donahue	46 Laurell Street	Beverly, Ma 01915
Kurt Hilander	520 Mass Avenue	Acton, MA 01720
Kurt Kramer	240 Central Street	Acton, MA 01720
Laurie Baird	813 Main Street	Acton, MA 01720
Leah Megan	75 Robbins Road	Acton, MA 01720
Lena Harvey	26 River Street	Acton, MA 01720
Libby Haycock	14 Iris Court - Unit D	Acton, MA 01720
Linda Mansfield	Two Townhouse Lane #11	Acton, MA 01720
Lisa Krause	10 Conant Street	Acton, MA 01720
Luke Penney	10 Wampus Avenue #F	Acton, MA 01720
Lynn Hughes	420 Great #A7	Acton, MA 01720
Lynne French	280 School Street	Acton, MA 01720
Margaret Day	48 Great Road #21	Acton, MA 01720
Maria Cefuentes	25 Harris Street #6	Acton, MA 01720
Mark Golder	390A Great Road #3	Acton, MA 01720
Marla Quadri	2 Townhouse Lane #12	Acton, MA 01720
Mary Alice Kelly	149 Waltham Street #7	Maynard, MA 01754
Mary Callahan	122B Great Road	Maynard, MA 01754
Mary Day	426 Great Road #2	Acton, MA 01720
Matt Carpenter	48 Wood Lane	Acton, MA 01720
Matthew Harris	34 Hammond Street	Acton, MA 01720
Matthew Quiet	312 Depot Road	Boxborough, MA 01719
Maura Leary	P.O. Box 2055	Acton, MA 01720
Meridith Kilpatrick	4 Thoreau Road	Acton, MA 01720
Michael Cogan	27 Boxmill Road	Stow, MA 01775
Michael Haynes	290 School Street	Acton, MA 01720
Michell Lagrossi	2-6 Warren Road	Stow, MA 01775
Michelle Staryos	1 Heather Hill Road	Acton, MA 01720
Mike DeVincent	11 Davis Road #B11	Acton, MA 01720

Norma Mason	39 Upham Street	Malden, MA 02148
Olga Gutkin	23 Davis Road #A1	Acton, MA 01720
Pam Garnum	17 Davis Road #C2	Acton, MA 01720
Pam Shuttle	48 Great Road #21	Acton, MA 01720
Pat Barry	55 Wood Lane	Acton, MA 01720
Pat Olsen	19A Third Avenue	Lowell, MA 01854
Patricia Vickers	48 Whittier Road	Medford, MA 02155
Patty Sardella	53 Swanson Ct. #C22	Boxboro, MA 01719
Paula Huber	10 Sachem Way	Acton, MA 01720
Poonham Ahija	16 Depot Road	Boxborough, MA 01719
Rena Bonardi	709 Wellman Avenue	Chelmsford, MA 01863
Renee Richard	3 Warren Road #2	Stow, MA 01775
Richard Meehan	161 Newtown Road	Acton, MA 01720
Rita Swaim	12 Sachem Way	Acton, MA 01720
Robert Gilberti	14 Coolidge Drive	Acton, MA 01720
Romante & Marluia Carvalho	14 Sachem Way	Acton, MA 01720
Romante Carvalho	14 Sachem Way	Acton, MA 01720
Ron Davon	Acton Water Dept. - P.O. Box 953	Acton, MA 01720
Sandy Jones	P.O. Box 401	Belmont, MA 02478
Sharon Sawyer	19 Taylor Street #3	Littleton, MA 01460
Shawn Page	5 Windsor Avenue	Acton, MA 01720
Susan McWalter	195 Nagog Hill Road	Acton, MA 01720
Suzanne Winning	380 Great Road #210	Acton, MA 01720
Theresa DeVergilio	49 Spencer Road #20H	Boxborough, MA 01719
Theresa Keone	45 Waugh Street	Lowell, MA 01854
Toni & Darine Stone	117 Central Street #A-1	Acton, MA 01720
Tory Beyer	1 Harvard Court	Acton, MA 01720
Valerie McCollom	50 Garfield Street	Lexington, MA 02421
Virginia Dyer	733 VFW Parkway	West Roxbury, MA 02132
Wanda Sharpe	2 Townhouse Lane #6	Acton, MA 01720
Wayne Scire	305 Arlington Street	Acton, MA 01720
Witold Wrotek	16 Bedford Village - Unit G	Bedford, MA 01730
Yeannis Andreo	9 Wamus Avenue #2	Acton, MA 01720
Anna Krystof Bienkowski	34 Eliot Road	Bedford, MA 01730
Paul Connors	36-6 Summer Street	Westboro, MA 01581
Kimberly & Rusty Simoneau	37 Maple Court	Concord, MA 01742
Leo Gower	469 Boston Road	Groton, MA 01450
Peter & Ursula Manson	12H Oliver Street	Haverhill, MA 01832
Mary Pacella	815 Main Street	Acton, MA 01720
Timothy Dunn	23 Davis Road #B-13	Acton, MA 01720
Cora Markley	16 Strawberry Hill Road #14D	Acton, MA 01720
Robert & Denise Bartlett	250 Arlington Street	Acton, MA 01720
Beverly Hutchings	9 Pine Street	Townsend, MA 01469
Darin Stone	117 Central Street A-1	Acton, MA 01720
Debra Ludovico	Route 1 - Box 233B	Parkersburg, WV 26101
James Mahoney	299 School Street - Unit D	Acton, MA 01720
Richard & Deborah Krug	106 Conant Street	Concord, MA 01742
Marek Migalski	47 Roseclair Street #1	Dorchester, MA 02125
Korinne Kostriza	175 Split Rock Road	Acton, MA 01720
Bridget Linehan-Ganley	19 Lexington Drive	Acton, MA 01720
Sonia Morales	166 Boxboro Road	Stow, MA 01775

# DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT



Argeo Paul Cellucci, Governor  
Jane Swift, Lieutenant Governor  
Jane Wallis Gumble, Director

May 19, 2000

Wayne L. Friedrichs, Chairman  
Board of Selectmen  
Town of Acton  
472 Main Street  
Acton, Massachusetts 01720

RE: 2, 4, 6, 8 Harris Street Village, Acton, MA 01720 Local Initiative Units

Dear Mr. Friedrichs:

I am pleased to inform you that your application for Local Initiative Program designation for units 2, 4, 6 and 8 Harris Street in Acton has been approved, subject to the fulfillment of the conditions listed below. I congratulate the community of Acton and the developer Ronald Peabody, for working together to make this project a reality. You may be aware that Governor Cellucci recently issued Executive Order 418 to encourage communities to provide new housing opportunities. I particularly want to congratulate the Town of Acton for taking steps to produce additional housing, and I assure you that this Department will recognize your actions in the context of E.O. 418.

The Harris Street Village would create a community of 16 homes on a 3.3 acre parcel located within the Acton Affordable Housing Overlay district. The density for the project and the entire site development plan was designated based upon the underlying affordable housing zoning that was created by the Town of Acton.

This approval indicates that the proposed development plan and pricing structure for units 2, 4, 6, and 8 are in compliance with the housing standards required of affordable housing units to be included in your community's Chapter 40B affordable housing stock.

These LIP units are required to comply with all state codes and all local codes.

As you know, the specifics of this project must be formalized in a regulatory agreement signed by the municipality, the project sponsor, and the Department of Housing and Community Development

4. DHCD must approve the terms of the end loan financing of the affordable units, including but not limited to mortgage interest rates and points charged by the lender at closing. It is the agency's expectation that the mortgage for the unit buyer will be 30-year fixed rate loan at or below interest rates prevailing at the time of closing. Further, it is the agency's expectation that the number of points charged at closing will be no greater than the industry standard at the time of closing. The unit buyer shall comply with Federal National Mortgage Association (FNMA) down payment requirements.
5. Evidence shall be submitted to DHCD that the unit is covered by a third-party extended warranty of at least five years in duration recognized as acceptable by a federal agency such as FHA.

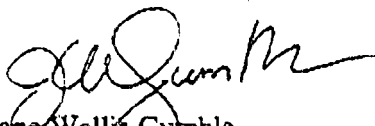
This approval letter shall expire two years from this date if a regulatory agreement has not been executed and construction has not begun by that date.

After these units are occupied, the Town of Acton may petition DHCD to include the units in the subsidized housing inventory by certifying to DHCD that the sales prices, buyer's income, and deed restrictions meet the program guidelines. The community must continue to certify the affordability of these units to DHCD on an annual basis.

Again, I congratulate you for your efforts to bring affordable housing to Acton. If you have any questions as you proceed with the project, please feel free to call Miryam Bobadilla at (617) 727-7824.

We look forward to continuing to work with you toward the successful completion of this development.

Sincerely,



Jane Wallis Gumble  
Director

Cc: Kevin McManus - Community Housing Corporation  
Ronald Peabody - Northwest Development LLC  
Mark C. O'Hagan, MCO & Associates, Inc. ✓

2, 4, 6 and 8 Harris Street  
Acton, MA

LOCAL INITIATIVE PROGRAM -- UNIT ONLY PROJECT

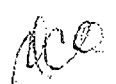
Approved May 4, 2000

This project will provide ownership opportunities according to the following breakdown:

Type of Units	# Units	# Bdrms	# Baths	Livable Square Feet	Sales Price	Homeowners Fee
Loca Initiative Units	4	3	2.5	1,600	\$94,500	\$50
Total Units	4					



May 23, 2000

To: Betty McManus, ACHC  
From: Mark O'Hagan   
Re: Harris Street Village DHCD Approval

Please be advised that I am still waiting for the official approval letter from DHCD regarding Harris Street Village. I have been advised by Miryam Bobadilla that we can expect the letter any time. There were two issues we requested waivers from DHCD regulations and I was advised verbally that these waivers were to be granted. Specifically, they have approved association fees of up to \$50.00 per month and have approved the necessary \$500.00 escrow payment per resident that is to be set aside for the shared septic system. Miryam stated that they will allow the Buyer to make the escrow payment out of pocket at closing or they will allow the purchase price to be increased to \$95,000 and have it set aside at the closing.

This verbal approval came on or about May 5, 2000. At that time Miryam requested the updated letter from the Board of Selectman clarifying that this was not a comprehensive permit project. She had also requested that I send in a letter to that effect as well which was forwarded on May 5, 2000.

Attached for your reference please find the original letter dated January 25, 2000 submitted with the LIP Application, my letter dated May 5, 2000 clarifying the fact that this is not a comprehensive permit and the letter that was delivered to the Action Board of Selectman this past Friday.

Please call me with any additional questions you may have.





May 5, 2000

Department of Housing & Community Development  
Mrs. Miryam Bobadilla  
Office of Private Housing  
1 Congress Street - 10<sup>th</sup> Floor  
Boston, MA 02114

RE: 4 Local Initiative Units  
Harris Street Village, Acton, MA

Dear Miryam:

Please be advised that the Harris Street Village project is NOT being developed through the Comprehensive Permit Process. I will secure a letter from the Acton Board of Selectmen clarifying this request for your files.

If you have any additional requests please feel free to call me at 978-779-0113

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. O'Hagan", with a long horizontal line extending to the right.

Mark C. O'Hagan  
MCO & Associates, Inc.  
For Northwest Development LLC

*Harris Street Village  
Acton, MA*

**Project Narrative**

Harris Street Village is a community of 16 homes on a 3.3 acre parcel located within the Acton Affordable Housing Overlay district. ***All necessary approvals have been granted in conjunction with local zoning requirements and it is not being developed through a comprehensive permit.*** Four of the 16 homes will be sold to qualified first time homebuyers and the Town is seeking approval for these 4 homes as Local Initiative Units through the Department of Housing & Community Development (DHCD). The homes will be distributed based upon DHCD guidelines and homebuyers will meet all LIP program qualifications.

The project developer, Mr. Ron Peabody of Northwest Development LLC, has a long resume of projects in the Acton area and has demonstrated his desire to help provide quality, affordable housing within the community of Acton. Currently, in conjunction with a large market-rate development called Bellows Farm, Mr. Peabody has established a fund of nearly \$700,000 for the acquisition and redistribution of 6 homes in Acton to qualified first time buyers selected through the LIP Program. This program is nearly completed and 5 of the 6 homes have been identified and conveyed to qualified buyers.

The Acton Community Housing Corporation (ACHC) has been very involved in the activities associated with the Bellows Farm Outreach program and has also endorsed the Harris Street Village project.

In summary, the Board of Selectman and the ACHC express their support and endorsement of the proposed "Harris Street Village" and look forward to its implementation and the addition of four homes to our current affordable housing stock.

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*, Chairman  
Acton Board of Selectmen*

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*Kevin McManus, Chairman  
Acton Community Housing  
Corporation*



January 25, 2000

Department of Housing & Community Development  
Mrs. Miryam Bobadilla  
Office of Private Housing  
1 Congress Street - 10<sup>th</sup> Floor  
Boston, MA 02114

RE: 4 Local Initiative Units  
Harris Street Village, Acton, MA

Dear Miryam:

Enclosed please find three copies of a Local Initiative Application regarding Harris Street Village in Acton, MA. This project is being developed by Northwest Development LLC. Northwest Development LLC is the same group that recently provided six affordable LIP homes through Bellows Farm Outreach program.

Harris Street Village is a sixteen unit detached condominium community that is located in, and has been approved through, Acton's Affordable Housing Overlay District. The price for the affordable units and process for distribution is based upon the LIP Program. We are seeking DHCD approval of the 4 units designated as affordable "Local Initiative Units". Enclosed is a \$200.00 check made payable to the Commonwealth of Massachusetts as the program fee. The affordable units are designated on the attached brochure. Three are to be newly constructed homes and the fourth is to be located within the historic homesite, currently located on the property, which is being extensively renovated. Specifically, they are units # 1, 12, 14 and 15.

There are two issues that have come up as it relates to LIP Program Guidelines and how they will impact the operation of the condominium requiring waivers/clarification. The first is the condominium fee for the affordable homebuyers. We understand the fee allowed for a three bedroom single family home is \$20.00 per month. The Homeowners Association at Harris Street will have only three primary functions: to operate a shared septic system, provide lawn mowing and to plow the roadway. We request that DHCD allow the fees to be set at the rate of \$50.00 per month for the affordable units and to maintain the sales price of \$94,500. This will a consistent ratio for the fees for the market rate and affordable homebuyers (i.e. the market rate homes are approximately three times the price of the affordable homes and this same ratio will exist in the fee structure). Attached for review is an affordability analysis for an affordable unit using the \$50 fee. This analysis demonstrates there is an affordability window for LIP homebuyers exceeding 20%. Secondly, to ensure the septic system reserve account is well funded each homebuyer (market rate and affordable) is required to pay an initial \$500 into the reserve account at closing per the board of health. This is not covered in the LIP guidelines but has become very commonplace in the market. Please review and advise/approve on these two issues.

I hope the enclosed LIP application for the four LIP units provides all the necessary details you may need regarding the project. If you have any questions please call me at 978-779-0113.

Sincerely,

Mark C. O'Hagan  
MCO & Associates, Inc.  
For Northwest Development LLC

**REQUEST FOR INCREASED ALLOWABLE  
ASSOCIATION FEE  
Affordability Analysis**

*Harris Street Village - Acton, MA*

<b>Home Price</b>	<b>\$</b>	<b>94,500</b>
<b>Interest Rate</b>		<b>8.50%</b>
<b>Down Payment (%)</b>		<b>5.00%</b>
<b>Down Payment (\$)</b>	<b>\$</b>	<b>4,725.00</b>
<b>Mortgage Amount</b>	<b>\$</b>	<b>89,775.00</b>
<b>Monthly Expenses</b>		
<i>Principal &amp; Interest</i>		<b>\$690.29</b>
<i>Real Estate Taxes</i>		<b>144.19</b>
<i>Private Mortgage Insurance</i>		<b>60.00</b>
<i>Homeowners Insurance</i>		<b>40.00</b>
<i>Association Fee</i>		<b>50.00</b>
<b>TOTAL Monthly Expenses</b>		<b>\$984.48</b>
<b>Minimum Income Required</b>	<b>\$</b>	<b>35,799</b>

**NOTES:**

*ALL Values are estimates and are subject to change*

*Acton Tax Rate = \$18.31 per thousand (+/-)*

*A 20% Down Payment will eliminate Private Mortgage Insurance*

*Minimum Income Required based upon 33% Housing Ratio*

*Maximum DHCD Annual Income utilized*      **\$**      **47,800**

*Affordability Window*      **25%**

ACTON COMMUNITY HOUSING CORPORATION  
P.O. BOX 681  
ACTON, MASSACHUSETTS 01720

May 11, 2000

Board of Selectmen  
Acton Town Hall  
Acton, MA

Dear Board Members:

Attached please find a copy of a letter from ACHC to the Planning Board in regard to a recent flap over the decision made by us to not hold a separate handicapped pool in the affordable housing lottery held on April 11 for the Harris Village development.

As a result of this incident, the ACHC is seeking clarification from the Selectmen, our appointing authority, as to your expectations of the scope and charge of our committee. The following specific points in the letter to the Planning Board we now address to you, asking that you indicate agreement or disagreement with our understanding of our role.

1. "The mission of the ACHC is to increase the supply of affordable housing in the town. ACHC exists to enable creation of affordable housing ownership opportunities for moderate-income families, with priority to Acton residents, children of Acton residents, and employees working in Acton. Our program is a moderate-income program not a low-income program. The low-income housing program in this town is administered by the Acton Housing Authority and is only a rental program, not a home ownership one."
2. "The ACHC considers its charge to be that of administering the First Time Homebuyers Program, as established by the state, so that any of the affordable dwellings in that program will qualify for inclusion in the state-mandated 10% affordability portion of total housing in the community. The MA Dept. of Housing and Community Development's (DHCD) Local Initiative Program (LIP) does not cover housing for the disabled nor does it require such units to be constructed under the First Time Homebuyer's program."
3. "Under separate cover, we will be seeking guidance from the Board of Selectmen as to whether or not their charge to us has changed. Should they expect us to now include handicapped housing and/or age restrictive housing programs in our duties, the ACHC will need to rethink its role."
4. "We see as our primary purpose the provision of affordable housing to moderate-income families and that is the focus we wish to sustain."

We wish to remind the Board that Governor Cellucci has recently renewed a long interest in increasing the supply of housing to individuals and families across a broad range of incomes and is tying this effort to the receipt of discretionary funds by communities throughout the state. Acton will need to go through a Housing Certification process and if we meet the certification standards, we will be given priority when applying for various grants in state discretionary programs of transportation, environmental affairs, economic development and housing.

In light of Gov. Cellucci's Executive Order #418 coupled with the decreasing amount of discretionary state funds, the ACHC believes this is not the time to change the focus of our affordable housing efforts. We have received solid support from the MA DHCD in the past and would expect that to continue as we are evaluated as a community for our commitment to increasing the supply of affordable housing.

We look forward to hearing from you and would be happy to meet with you should that be helpful.

Sincerely,

Nancy Tavernier, Chair  
ACHC

cc Planning Board

ACTON COMMUNITY HOUSING CORPORATION  
P.O. BOX 681  
ACTON, MASSACHUSETTS 01720

May 11, 2000

Acton Planning Board  
Town Hall  
Acton, MA

Dear Board members and staff:

Although the ACHC is scheduled to meet with the Planning Board on June 12, not all the members can be in attendance and we feel the need to offer some background information on our rationale for the action taken in regard to the handicapped unit at the Harris Village development.

We would begin by stating our displeasure with the distribution of copies of the 4/24/00 Planning Board memo to ACHC going to other boards, individuals, *and the press* before our members had even seen a copy or knew of its existence. The distribution method for communication with our committee is via the Acton Housing Authority mailbox in Town Hall, which is only checked on a weekly basis. We will accept the failing on our part to check the box prior to our 7AM meeting on April 28 but the letter had already been distributed to others by then and the damage done. In the future, we would request that a memo of such volatility be brought to the attention of the Chair of the ACHC before distribution to others. We also reserve some anger for the reporter who wrote an entirely one-sided story on an issue that we had not discussed and therefore could not comment on prior to the publication of the article.

As members of an extremely visible town board, I know you understand the pain of public criticism and have received more than your fair share. As board members, we should always remain cognizant of the fact that we are, in the final analysis, just volunteers trying to do what is best for the entire town and regrettably there are fewer and fewer of us willing to serve. The rhetoric displayed in your memo and the quotes used by the press were unjustifiably harsh particularly when your board had not sought an explanation from us about our actions. This has been most upsetting to the members of ACHC. We share the blame for the miscommunication in not approaching you about our reasoning. We were operating under a tight time frame since the lottery decisions had to be made quickly but that is no excuse, and for that we apologize.

Here is some of the background information that we considered:

1. **Three Planning Board decisions for Affordable Housing proposals, each different.**

Harris Village

The ACHC met with Ron Peabody on September 17, 1998 to review his plans for Harris Village. He proposed to have 4 single-family homes (25%) designated for the "First Time Homebuyers" program under the MA DHCD Local Initiative Program. This is the program that the ACHC is charged with administering. There was no mention of handicapped units at this meeting. The ACHC sent its recommendation for approval to the Board of Selectmen on November 11, 1998 and they subsequently approved the project on 11/17/98. Again no mention was made of handicapped units in the proposal.

The first indication of a change in the housing concept came in the Planning Board decision of January 11, 1999 with the addition of condition 3.2.7 which reads: "One of the affordable units shall be constructed to be adaptable for residents with disabilities in accordance with Mass. Architectural Access Board Regulations, 521 CMR (Group 2 residence)." This was the first the ACHC was aware of the revision.

Bellows Farm

The Planning Board decision for Bellows Farm (8/28/95) reads, "One of the \$94,500 units shall be constructed to be accessible for persons with disabilities in accordance with the requirements of the MA Architectural Access Board. If permitted under applicable laws and regulations, this unit shall first be offered for sale to persons with disabilities and households with persons with disabilities."

Westside Village

Planning Board decision made no requirement for handicapped units at all among the four affordable units required.

**Three decisions, three different directions. ACHC chose to interpret the decisions exactly as written.**

**2. The Charge to the Acton Community Housing Corporation**

The ACHC became a town board in 1995, appointed by the Board of Selectmen, through the submission of a Home Rule petition to the MA Legislature allowing such a Charter change. Prior to our town board status, we operated as a private non-profit corporation and have now disbanded that completely. We have been in existence since 1986 with most of our current members serving during the entire history of the board.

The mission of the ACHC is to increase the supply of affordable housing in the town. ACHC exists to enable creation of affordable housing ownership opportunities for moderate-income families, with priority to Acton residents, children of Acton residents, and employees working in Acton. Our program is a moderate-income program not a low-income program. The low-income housing program in this town is administered by the Acton Housing Authority and is only a rental program, not a home ownership one.



The ACHC considers its charge to be that of administering the First Time Homebuyers Program, as established by the state, so that any of the affordable dwellings in that program will qualify for inclusion in the state-mandated 10% affordability portion of total housing in the community. The MA Dept. of Housing and Community Development's (DHCD) Local Initiative Program (LIP) does not cover housing for the disabled nor does it require such units to be constructed under the First Time Homebuyer's program.

Under separate cover, we will be seeking guidance from the Board of Selectmen as to whether or not their charge to us has changed. Should they expect us to now include handicapped housing and/or age restrictive housing programs in our duties, the ACHC will need to rethink its role.

### **3. ACHC concerns about administering affordable handicapped accessible homes.**

Attached to this letter is a description of the First Time Homebuyers Program also known as Local Initiative Program. It is a complicated and restrictive program that does not lend itself to tinkering. Please read it through to better understand our program.

As facilitators for the affordable housing program, neither the ACHC nor the Town ever owns the properties in the LIP program. The properties are owned by the developer and transferred to the new owners after income eligibility has been established and verified. Each of these properties is required to have a deed restriction to insure the permanent affordability of the home. The resale of the properties is clearly spelled out in the program regulations.

#### **Concern #1 Demand**

The demand for affordable housing in Acton is *enormous* especially in the current real estate market. For the 16 affordable units dedicated to our program, we had a total of 195 eligible applicants. Of those 195, only 6 applicants (3%) reported needing handicapped housing. Two of our 16 units, or 13%, are handicapped accessible or adaptable. This does not indicate a significant demand for affordable, handicapped housing but does indeed indicate a need to generate as many affordable family units as possible. Perhaps the perceived demand for handicapped housing should focus on market priced homes or in rental housing.

#### **Concern #2 Verification**

As a group of housing volunteers, we have found the income eligibility process to be so time-consuming and cumbersome that it needs to be handled by a private consultant, funded by the developers. The determination of family size, household income, household assets, prior home ownership, and credit history for any given applicant is a monumental task. To add to that the verification and identification of a handicapped person is not something we are capable of doing. This would need a third-party verification procedure.

**Concern #3 Cost of Adaptability**

In the case of Harris Village, the affordable houses are 2 stories. That meant any future and potential adaptability needs must be met without requiring major structural changes at a later date. Therefore, space had to be provided in this unit for an elevator, the bathroom had to be completely accessible, the kitchen counters had to be height adjustable and a ramp could be constructed easily if needed. Let's assume that the first homebuyer was wheel chair bound. Who is responsible for funding the elevator? If the homeowner could afford to put in an elevator, it is likely that he could exceed the income and/or asset limitation. What if the first homebuyer is deaf (as is the case with one of the 6 applicants)? He does not need the physical barrier changes but needs instead strobe lights on smoke detectors, TDD wiring etc. Who pays for that? When the home goes on the market for resale in the future, there would be a deed rider requiring it be sold to a handicapped person. Who will pay for the potential different adaptability requirements at that time? Must an elevator be installed should the new buyer need it and if so who pays for it?

At least in the Bellows Farm situation, the handicapped house is a one level ranch and meets all the requirements for a wheel chair bound resident.

**Concern #4 Which unit should be designated as the handicapped unit?**

The LIP program allows the affordable houses to have a local preference for 60% of the units. With the four Harris Village units, this is the required breakdown: 1 unit - Minority family, 2 units - Local family (town employee, resident, child of resident, or works in town) and 1 unit - Rest of the state. Which of these units should be deed restricted in perpetuity as handicapped?

**Concern #5 Eventual loss of affordable housing stock**

As detailed in the attachment, the resale process for these homes is extremely complex and time-restrictive. The seller and the town essentially have 90 days from notification to find an income eligible buyer and may even have to hold a lottery should more than one apply, which is extremely likely given the demand. If this seller has to also find an eligible handicapped buyer in the same 90 days, our fear is it cannot be done and the house will then be sold to anyone on the open market. The unit is then lost to the program. We have too few units to take that risk.

**Conclusions**

The more the ACHC pondered these scenarios, the more complex the administration of the program became. The current members of ACHC hold years of experience in this field, including professional experience. When they are no longer on the committee, the responsibility for the administration of this program will fall on the shoulders of the already over-burdened Planning Department. We are trying to make the process as straightforward and fair as possible.

After considering all the above concerns and after reflecting on the less than satisfactory experience encountered with the Bellows Farm handicapped unit, on Feb. 10, 2000, the ACHC made the following decision (excerpt from minutes of 2/10/00):

C. Discussion followed regarding whether a separate pool would be held for the handicapped adaptable home at Harris Village. It was the sense of the members not to have a separate handicapped pool, but to include a question on the lottery application asking the applicant if anyone in the family had a handicapped member. Kevin McManus moved that the lottery would not have a separate handicapped pool, but if one of the four winners of the lottery were handicapped, the designated handicapped adaptable unit would be adapted to the family's specific need. Jana Mullin seconded the motion and all members voted in favor.

We hope this information will help you understand how we came to make the decision that we did on the Harris Village units. The ACHC members are strongly dedicated to the affordable housing program and would support the efforts of any other group who might wish to pattern a handicapped housing program after our system. We see as our primary purpose the provision of affordable housing to moderate-income families and that is the focus we wish to sustain.

We look forward to meeting with you on June 12.

Sincerely,

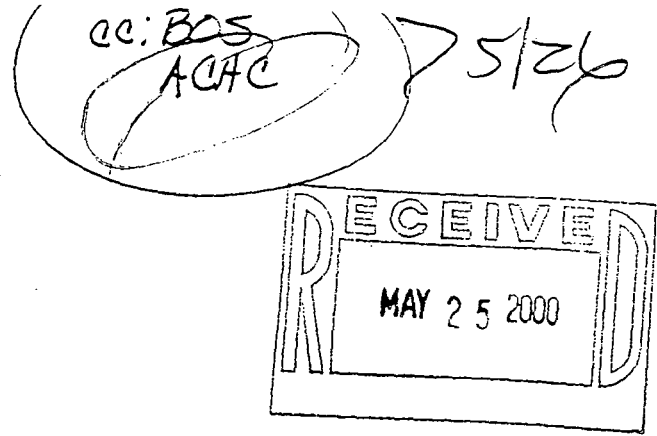
Nancy Tavernier, Chair  
ACHC

Attachment  
Copies to:  
Town Manager  
BOS  
Acton Comm. on Disabilities  
Building Commissioner  
Ron Peabody

# DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT



Argeo Paul Cellucci, Governor  
Jane Swift, Lieutenant Governor  
Jane Wallis Gumble, Director



May 23, 2000

Steven R. Graham, Esq.  
Graham & Harsip, P.C.  
289 Great Road  
Acton, MA 01720

MAY 26 2000

Re: Legal Documents; Harris Village

Dear Attorney Graham:

Enclosed is the Regulatory Agreement and other documents pertaining to the LIP program. The Regulatory Agreement must be signed by all parties **before** construction of the above project begins. The agreement should be prepared after you have received a Comprehensive Permit (if applicable) and in all other respects are prepared to begin construction. You should first make two (2) additional copies. Attach a blank copy of the Deed Rider to each. After the filled-in agreements have been signed by the Municipality, by the Project Sponsor, and by any mortgagees, please **submit all three (3) originals to the DHCD Legal Office for review and agency approval.**

Two (2) signed originals will then be sent back: one for the Project Sponsor and one for the Municipality. Within ten days of recording of the Regulatory Agreement, a "Confirmation of Recording (Regulatory Agreement)" should be signed by the Town Counsel and sent to me. Construction is not to begin until the Regulatory Agreement has been executed and recorded.

In regard to **Exhibit A** attached to the Regulatory Agreement, please be advised that for the Legal Property description we will accept only a description of the land by metes and bounds (i.e., exactly as it appears on the deed) or by reference to a recorded or registered plan showing its boundaries.

In addition to the above documents, please submit the following documents:

- A list of all mortgagees holding mortgages with respect to the project,
- The Comprehensive Permit, if any,
- Documentation of compliance with conditions in the DHCD Approval Letter, and
- Documentation of authority to sign on behalf of the Project Sponsor, as follows:

If a corporation, or if the Project Sponsor has a corporate general partner:

- Certificate of Legal Existence (from the Secretary of State) and
- The Corporation's Clerk's certificate of vote of the Corporation or Board

If a nominee trust:

- Trustee Certificate and
- Authorization of Beneficiaries

If a limited partnership:

- Limited Partnership Certificate (long form, showing general partners; from the Secretary of State)

If a general partnership:

- Authorization of the partners

We are also enclosing the **LIP Loan Term Certificate**. This must be submitted to the DHCD Bureau of Private Housing Programs for approval prior to the sale of any affordable units. The terms stated in the certificate must be made available as an option to each purchaser of an affordable unit.

Finally, enclosed is the "**Discount Rate Certificate**", which is referenced in the Deed Rider, page DR-2 ¶ 2, and states that "Upon its determination of the Discount Rate for the property, DHCD will issue to the grantee a certificate in recordable form (the "**Discount Rate Certificate**") which states the approval discount rate for the property and which shall be recorded with the first deed of the property."

Local Initiative Projects may be subject to the Massachusetts Environmental Policy Act (MEPA), which is administered by the Executive Office of Environmental Affairs (EOEA). Under certain circumstances, an Environmental Notification Form (ENF) must be filed with the EOEA MEPA office. If an ENF must be filed, it is to be filed within ten days of filing of your LIP application with DHCD. To ensure MEPA compliance, for all LIP units, we require the Project Sponsor to file a MEPA ENF Certification form with us. Please fill out the enclosed form, and return it to the DHCD Bureau of Private Housing Programs, attention: Miryam Bobadilla.

It is important that the developer stay in touch with the DHCD Bureau of Private Housing Programs throughout the Comprehensive Permit approval process, and **not** begin working on the Regulatory Agreement until the process is complete. Miryam Bobadilla of the Bureau of Private Housing Programs should be notified of any changes in the project, particularly those which have been required by the Zoning Board of Appeals. As indicated above, the permit should be forwarded to me when the Regulatory Agreement is ready for signature by the Director of DHCD.

If you have any questions, please do not hesitate to contact me at (617) 727-7078 ext 316 in the Legal Office or Miryam Bobadilla at (617) 727-7824 in the Bureau of Private Housing Programs.

Sincerely,

Amy J. Fripp  
Paralegal

Encl.: Regulatory Agreement  
Deed Rider  
Confirmation of Recording - RA  
Loan Term Certificate  
Discount Rate Certificate  
MEPA ENF Certification

cc: Ronald B. Peabody, Project sponsor  
Dore' Hunter, Chief elected official  
Norman Cohen, Town Counsel  
Nancy Tavernier, Acton Community Housing Corp.,



***Acton Housing Outreach***  
***C/o MCO & Associates, Inc.***  
***62 Green Road***  
***Bolton, MA 01740***  
***(978) 779-0113***

May 29, 2002

Dear Applicant:

Your application for the affordable home located within Harris Village in Acton has been received. This letter is to inform you that the date for the lottery distribution of the home has been moved to Friday, May 31, 2002 at 7AM in the Acton Town Hall – Room 126.

It is to be held at a meeting of the Acton Community Housing Corporation. Please be advised that we did receive several applications from qualified, handicapped households and they will be receiving a preference on the home.

You do not need to be in attendance and the distribution will only take a few minutes, however, we wanted to make all parties aware of the schedule.

If you have any questions please feel free to contact me at 978-779-0113. For those applicants not selected you will be added to our database and will be made aware of upcoming lottery programs for affordable housing.

Sincerely,



Mark C. O'Hagan  
MCO & Associates, Inc.

<u>First Name</u>	<u>Last Name</u>	<u>Home Address</u>	<u>Town</u>	<u>Local</u>	<u>Minority</u>	<u>Family Size</u>	<u>Handicapped</u>
✓ Mary Pacella &	Laurie Baird	390 Great Road #B16	Acton, MA 01720	Yes		4	Yes
✓ Paul & Faith	Denaro	284 Great Road #D7	Acton, MA 01720	Yes	Yes	4	
✓ Paula	DuPlessis	15B Windsor Avenue	Acton, MA 01720	Yes	No	1	
✓ Carl & Linda	Fiore	67 Hammond Street	Acton, MA 01720	Yes	No	4	
✓ Kate	Fitzmaurice	209 School Street	Acton, MA 01720	Yes	No	5	
✓ Ellen	Fusco	185A Parker Street	Acton, MA 01720	Yes		1	
✓ Brionda	Gibson	85 Hosmer Street #C2	Acton, MA 01720	Yes	?	2	
✓ Suzanne	Larsen	5 Harvard Court #2	Acton, MA 01720	Yes		2	
✓ Bridget	Linehan-Ganley	11 Wampus Avenue #11	Acton, MA 01720	Yes	No	2	
✓ James	Mahoney	299 School Street - Unit D	Acton, MA 01720	Yes	No	1	
✓ Joe & Kathleen	Nagle	23 Simon Willard Road	Acton, MA 01720	Yes	No	7	Handicapped
✓ Shawn	Page	5 Windsor Avenue	Acton, MA 01720	Yes	No	3	
✓ Paul Sances &	Ira Glicker	582 Mass Avenue	Acton, MA 01720	Yes	Yes	3	
✓ Mary Catherine	Von Jess	125 Central Street	Acton, MA 01720	Yes		4	
✓ Patricia	Sylva	8 Independence Road	Bedford, MA 01730	Yes		3	Handicapped
✓ Kyle & Heidi	Hollingsworth	28 Robbins Road	Waltham, MA 02453	No		3	Handicapped
✓ Daniel Factor &	Nadia Franciscono	176 Swanson Road #308	Boxborough, MA 01719	No		3	Handicapped
✓ Val & Nancy	Silulu	81 Newtown Road	Acton, MA 01720	Yes		4	
✓ Roald	Shapiro	55 Brook Street #18	Acton, MA 01720	Yes		2	



# 6 JENNIFER PATH

Acton, MA

## LOTTERY APPLICATION

Date: 5/22/02

### PERSONAL INFORMATION:

Name: MARY PACELLA + LAURIE BAIRD  
Address: 390 GREAT RD, #B16 Town: ACTON Zip: 01720  
Home Telephone: 978-929-0842 Work Telephone: 978-263-7724 SS#: 017-360708  
Have you ever owned a home? NO If so, when did you sell it? \_\_\_\_\_  
Are you a Current Resident of Acton? YES  
Are your parents living in Acton? NO  
Please provide name & address \_\_\_\_\_

Are you currently employed by the Town of Acton? NO

If yes, what position? \_\_\_\_\_

Are you currently working in (geographically) Acton? YES

Does any one in your household have a recognized physical handicap? YES Explain SCLERODERMA  
PREVIOUSLY SELECTED FOR HANDICAPPED  
HOUSE IN WEST ACTON  
SOCIAL SECURITY DISABLED

### FINANCIAL WORKSHEET:

Borrowers Monthly Base Income (Gross)	<u>3300</u>
Other Income	<u>736</u>
Co-Borrowers Monthly Base Income (Gross)	<u>659.39</u>
Other Income	_____

### TOTAL MONTHLY INCOME:

4695.39 (A)

Principal & Interest "See AFFORDABILITY Analysis"	<u>730.92</u>
Real Estate Taxes	<u>140.02</u>
Private Mortgage Insurance	<u>69.64</u>
Association Fee	<u>40.00</u>
Homeowners Insurance	<u>58.00</u>

### TOTAL PROJECTED MONTHLY HOUSING EXPENSE:

1040.58 (B)

Monthly Installment Loans (Car, Student, Personal, etc.)*	<u>610</u>
Revolving Credit (Credit Cards) Use 5% of Balances	_____

### TOTAL MONTHLY OBLIGATIONS:

1650.58 (C)

### RATIOS: (Use Values from above to calculate)

\*\* Monthly Housing Ratio: .22 (B) / (A)

\*\*\* Total Obligations Ratio: .35 (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.

\*\* Should NOT exceed 30%

\*\*\* Should NOT exceed 36%

EMPLOYMENT STATUS:

Employer: ACTON ACUPUNCTURE

Address: 271 GREAT RD

Date of Hire (Approximate): 1997

Annual Wage - Base: 39600

Additional: \_\_\_\_\_ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents (#)
White	<u>✓</u>	<u>✓</u>	<u>2</u>
Black	_____	_____	_____
Hispanic	_____	_____	_____
Asian American	_____	_____	_____
Native American	_____	_____	_____
Other	_____	_____	_____

The total household size is 4

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$58,300 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

The down payment must be a minimum of 5% based upon standard underwriting procedures. Some of this may be in the form of a gift depending on the lending institution. Applicants will be responsible for all closing costs associated with the purchase of a home.

By signing this application you are agreeing that the Certifying Agent shall have the right to review all bank information that may be submitted if you have the opportunity to purchase a home and apply for a mortgage. All State and Local guidelines currently in effect or they may be imposed must be complied with.

SIGNATURES:

The undersigned warrants and represents that all statements herein are true. It is understood the use of this application is for participation in a lottery for the distribution of an affordable home located in Acton, MA.

Signature \_\_\_\_\_

Applicant(s)

Date: 5/22/02

Based upon the information provided it is my judgement the applicant should be allowed to participate in the lottery for an affordable home in Acton. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature \_\_\_\_\_

Certifying Agent

Date: \_\_\_\_\_

NOTES:

# 6 JENNIFER PATH

Acton, MA

## LOTTERY APPLICATION

Date: May 15<sup>th</sup>, 2002

### PERSONAL INFORMATION:

Name: Joseph and Kathleen Nagle  
Address: 23 Simon Willard Rd. Town: Acton Zip: 01720  
Home Telephone: 978 2630334 Work Telephone: 978 26044700 SS#: 026448652/0325  
Have you ever owned a home? NO If so, when did you sell it? N/A / 4437  
Are you a Current Resident of Acton? YES  
Are your parents living in Acton? NO  
Please provide name & address N/A

Are you currently employed by the Town of Acton? Yes  
If yes, what position? ABRHS Monitor  
Are you currently working in (geographically) Acton? Yes  
Does any one in your household have a recognized physical handicap? Yes Explain Joe has Crohn's Disease, is on SSDI.

### FINANCIAL WORKSHEET:

Borrowers Monthly Base Income (Gross) \$ 12,275.00 SSDI.  
Other Income 0  
Co-Borrowers Monthly Base Income (Gross) 13,400.00  
Other Income 0  
TOTAL MONTHLY INCOME: \$ 25,675.00 (A)

Principal & Interest "See AFFORDABILITY Analysis"  
Real Estate Taxes  
Private Mortgage Insurance  
Association Fee  
Homeowners Insurance

58.00  
\$ 40.00

### TOTAL PROJECTED MONTHLY HOUSING EXPENSE:

(B)

Monthly Installment Loans (Car, Student, Personal, etc.)\*  
Revolving Credit (Credit Cards) Use 5% of Balances

- 0 -  
N/A  
N/A

### TOTAL MONTHLY OBLIGATIONS:

(C)

RATIOS: (Use Values from above to calculate)

\*\* Monthly Housing Ratio: \_\_\_\_\_ (B) / (A)

\*\*\* Total Obligations Ratio: \_\_\_\_\_ (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.  
\*\* Should NOT exceed 30% \*\*\* Should NOT exceed 36%

EMPLOYMENT STATUS:

Employer: Acton, Boxboro Regional School System,  
Address: 16 Hayward Road  
Acton MA 01725  
Date of Hire (Approximate): September 1999  
Annual Wage - Base: \$822.50 every 2 wks - 9 months a year.  
Additional: \_\_\_\_\_ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents
White	<u>Joseph</u>	<u>Kathleen</u>	<u>4</u> (#)
Black	_____	_____	_____
Hispanic	_____	_____	_____
Asian American	_____	_____	_____
Native American	_____	_____	_____
Other	_____	_____	_____

The total household size is 6

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$58,300 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

The down payment must be a minimum of 5% based upon standard underwriting procedures. Some of this may be in the form of a gift depending on the lending institution. Applicants will be responsible for all closing costs associated with the purchase of a home.

By signing this application you are agreeing that the Certifying Agent shall have the right to review all bank information that may be submitted if you have the opportunity to purchase a home and apply for a mortgage. All State and Local guidelines currently in effect or they may be imposed must be complied with.

SIGNATURES:

The undersigned warrants and represents that all statements herein are true. It is understood the use of this application is for participation in a lottery for the distribution of an affordable home located in Acton, MA.

Signature \_\_\_\_\_

Applicant(s)

Date: 5/15/02

Based upon the information provided it is my judgement the applicant should be allowed to participate in the lottery for an affordable home in Acton. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature \_\_\_\_\_

Certifying Agent

Date: \_\_\_\_\_

NOTES:

## 6 JENNIFER PATH

Acton, MA

## LOTTERY APPLICATION

Date: 5-26-02PERSONAL INFORMATION:

Name: PATRICIA M. SYLVA  
 Address: 8 INDEPENDENCE RD Town: BEDFORD Zip: 01730  
 Home Telephone: 781-275-4528 Work Telephone: 978-263-0680 SS#: 010-42-7537  
 Have you ever owned a home? YES If so, when did you sell it? \_\_\_\_\_  
 Are you a Current Resident of Acton? NO  
 Are your parents living in Acton? NO  
 Please provide name & address \_\_\_\_\_

Are you currently employed by the Town of Acton? NO

If yes, what position? \_\_\_\_\_

Are you currently working in (geographically) Acton? ACTON MEDICAL ASSOC. - RN

Does any one in your household have a recognized physical handicap? YES Explain MY HUSBAND HAS  
MULTIPLE SCLEROSIS - SEIZURE DISORDER - NEPHROGENIC DIABETES INSIPIDUS  
FINANCIAL WORKSHEET: MULTIPLE

Borrowers Monthly Base Income (Gross) 2109  
 Other Income \_\_\_\_\_  
 Co-Borrowers Monthly Base Income (Gross) 1465 - (SSDI BENEFIT)  
 Other Income \_\_\_\_\_

TOTAL MONTHLY INCOME: 3574 (A)

Principal & Interest "See AFFORDABILITY Analysis" 615.51  
 Real Estate Taxes 142.02  
 Private Mortgage Insurance 0  
 Association Fee 28  
 Homeowners Insurance 58

TOTAL PROJECTED MONTHLY HOUSING EXPENSE: 855.53 (B)

Monthly Installment Loans (Car, Student, Personal, etc.)\* 540  
 Revolving Credit (Credit Cards) Use 5% of Balances \_\_\_\_\_

TOTAL MONTHLY OBLIGATIONS: \_\_\_\_\_ (C)

RATIOS: (Use Values from above to calculate)\*\* Monthly Housing Ratio: 2476 (B) / (A)

\*\*\* Total Obligations Ratio: \_\_\_\_\_ (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.

\*\* Should NOT exceed 30%

\*\*\* Should NOT exceed 36%

EMPLOYMENT STATUS:

Employer: ACTON MEDICAL ASSO'S  
Address: 321 MAIN ST  
ACTON MA 01720  
Date of Hire (Approximate): MARCH, 1998  
Annual Wage - Base: 25,312  
Additional: \_\_\_\_\_ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents (#)
White	<u>✓</u>	<u>✓</u>	<u>✓</u>
Black	_____	_____	_____
Hispanic	_____	_____	_____
Asian American	_____	_____	_____
Native American	_____	_____	_____
Other	_____	_____	_____

The total household size is 3

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$58,300 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

The down payment must be a minimum of 5% based upon standard underwriting procedures. Some of this may be in the form of a gift depending on the lending institution. Applicants will be responsible for all closing costs associated with the purchase of a home.

By signing this application you are agreeing that the Certifying Agent shall have the right to review all bank information that may be submitted if you have the opportunity to purchase a home and apply for a mortgage. All State and Local guidelines currently in effect or they may be imposed must be complied with.

SIGNATURES:

The undersigned warrants and represents that all statements herein are true. It is understood the use of this application is for participation in a lottery for the distribution of an affordable home located in Acton, MA.

Signature

Patricia G. Sylva  
Applicant(s)

Date:

5/26/02

5/26/02

Based upon the information provided it is my judgement the applicant should be allowed to participate in the lottery for an affordable home in Acton. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature

\_\_\_\_\_  
Certifying Agent

Date:

NOTES:

# 6 JENNIFER PATH

Acton, MA

10-11-02A10:53 ROAD

## LOTTERY APPLICATION

Date: 8 5/15/02

### PERSONAL INFORMATION:

Name: Daniel Factor & Nadia Franciscano

Address: 176 Swanson Rd. #308 Town: Boxboro Zip: 01719

Home Telephone: (978) 835-5788 Work Telephone: (508) 588-0422 SS#: 077-62-8284 Danny  
344-58-7825 Nadia

Have you ever owned a home? no If so, when did you sell it? N/A

Are you a Current Resident of Acton? no

Are your parents living in Acton? no

Please provide name & address N/A

Are you currently employed by the Town of Acton? no, however our 4 year old son attends pre-kindergarten at Mulberry Child Care + pre-school at Post Office Sq., Acton  
If yes, what position? we plan to send him to the Acton schools, beginning in kindergarten.

Are you currently working in (geographically) Acton? no

Does any one in your household have a recognized physical handicap? yes Explain Nadia Franciscano suffers from cystic fibrosis which causes advanced lung disease. Her current lung capacity is 30% of normal. She is on social security disability. For more information you may contact her pulmonologist at Massachusetts General Hospital, Dr. Marcella Ruddy at (617) 726-8707

Borrowers Monthly Base Income (Gross)

\$3,188.64

Other Income

0

Co-Borrowers Monthly Base Income (Gross)

980.00

Other Income

0

### TOTAL MONTHLY INCOME:

\$4,168.64 (A)

Principal & Interest "See AFFORDABILITY Analysis"

\$615.51

Real Estate Taxes

142.02

Private Mortgage Insurance

0

Association Fee

40.00

Homeowners Insurance

58.00

### TOTAL PROJECTED MONTHLY HOUSING EXPENSE:

\$855.53 (B)

Monthly Installment Loans (Car, Student, Personal, etc.)\*

\$228.50

Revolving Credit (Credit Cards) Use 5% of Balances

73.95

### TOTAL MONTHLY OBLIGATIONS:

\$302.45 (C)

RATIOS: (Use Values from above to calculate)

\*\* Monthly Housing Ratio: 21% (B) / (A)

\*\*\* Total Obligations Ratio: 7% (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.

\*\* Should NOT exceed 30%

\*\*\* Should NOT exceed 36%

EMPLOYMENT STATUS:

Employer: Law Offices of Gerald J. Noonan

Address: 555 Pleasant St.  
Brockton, MA 02301

Date of Hire (Approximate): Mar 8, 2002

Annual Wage - Base: \$ 38,263.

Additional: \_\_\_\_\_ (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents (#)
White	<u>✓</u>	<u>✓</u>	<u>1</u>
Black	_____	_____	_____
Hispanic	_____	_____	_____
Asian American	_____	_____	_____
Native American	_____	_____	_____
Other	_____	_____	_____

The total household size is 3

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$58,300 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

The down payment must be a minimum of 5% based upon standard underwriting procedures. Some of this may be in the form of a gift depending on the lending institution. Applicants will be responsible for all closing costs associated with the purchase of a home.

By signing this application you are agreeing that the Certifying Agent shall have the right to review all bank information that may be submitted if you have the opportunity to purchase a home and apply for a mortgage. All State and Local guidelines currently in effect or they may be imposed must be complied with.

SIGNATURES:

The undersigned warrants and represents that all statements herein are true. It is understood the use of this application is for participation in a lottery for the distribution of an affordable home located in Acton, MA.

Signature April Foster Maria Francisco Date: 5/15/02  
Applicant(s)

Based upon the information provided it is my judgement the applicant should be allowed to participate in the lottery for an affordable home in Acton. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
Certifying Agent

NOTES:



# 6 JENNIFER PATH

Acton, MA

## LOTTERY APPLICATION

Date: 5/11/02

### PERSONAL INFORMATION:

Name: Kyle + Heidi Hellingsohn  
Address: 28 Robbins St Town: Waltham, MA Zip: 02453  
Home Telephone: 781 647 3065 Work Telephone: 781 395 7800 SS#: 543863926  
Have you ever owned a home? NO If so, when did you sell it? NO

Are you a Current Resident of Acton? NO

Are your parents living in Acton? NO

Please provide name & address \_\_\_\_\_

Are you currently employed by the Town of Acton? NO

If yes, what position? \_\_\_\_\_

Are you currently working in (geographically) Acton? NO

Does any one in your household have a recognized physical handicap? YES Explain Moderate Disability

### FINANCIAL WORKSHEET:

Borrowers Monthly Base Income (Gross) 4194.58

Other Income 0

Co-Borrowers Monthly Base Income (Gross) 4194.58

Other Income 0

TOTAL MONTHLY INCOME: 4194.58 (A)

Principal & Interest "See AFFORDABILITY Analysis" 730.92

Real Estate Taxes 142.02

Private Mortgage Insurance 69.64

Association Fee 58.00

Homeowners Insurance 40.00

TOTAL PROJECTED MONTHLY HOUSING EXPENSE: 1040.58 (B)

Monthly Installment Loans (Car, Student, Personal, etc.)\* 287.00

Revolving Credit (Credit Cards) Use 5% of Balances 75.00

TOTAL MONTHLY OBLIGATIONS: 382.00 (C)

RATIOS: (Use Values from above to calculate)

\*\* Monthly Housing Ratio: .25 (B) / (A)

\*\*\* Total Obligations Ratio: .09 (C) / (A)

\* You do not need to include any installment loans that have less than 10 payments remaining.

\*\* Should NOT exceed 30%

\*\*\* Should NOT exceed 36%

EMPLOYMENT STATUS:

Employer: Stamps Private Health Care Sys /  
Address: 500 Terminal C, Tier B, Logan International Airport 1100 Washington St  
East Boston, MA 02138 Waltham, MA 02451  
Date of Hire (Approximate): May 1984  
Annual Wage - Base: 22,800 25,840  
Additional: 1,700 (Bonus, Commission, Overtime, etc.)

ABOUT YOUR FAMILY:

You are requested to fill out the following section in order to assist us in fulfilling affirmative action requirements. Please be advised that you should fill this out based upon family members that will be living in the home. Please check the appropriate categories:

	Applicant	Co-Applicant	Dependents (#)
White	<u>✓</u>	<u>✓</u>	<u>1</u>
Black	<u>      </u>	<u>      </u>	<u>      </u>
Hispanic	<u>      </u>	<u>      </u>	<u>      </u>
Asian American	<u>      </u>	<u>      </u>	<u>      </u>
Native American	<u>      </u>	<u>      </u>	<u>      </u>
Other	<u>      </u>	<u>      </u>	<u>      </u>

The total household size is 3

ADDITIONAL INFORMATION:

The MAXIMUM allowable annual income for a household (up to 4 people) for this program is currently \$58,300 (as established by the DHCD). This limit is FIRM and can not be adjusted. If you have questions regarding your income level due to fluctuations please contact our office for advice. Please be advised that the income to be used should include income for all members of the household that are to be residing in the home.

The down payment must be a minimum of 5% based upon standard underwriting procedures. Some of this may be in the form of a gift depending on the lending institution. Applicants will be responsible for all closing costs associated with the purchase of a home.

By signing this application you are agreeing that the Certifying Agent shall have the right to review all bank information that may be submitted if you have the opportunity to purchase a home and apply for a mortgage. All State and Local guidelines currently in effect or they may be imposed must be complied with.

SIGNATURES:

The undersigned warrants and represents that all statements herein are true. It is understood the use of this application is for participation in a lottery for the distribution of an affordable home located in Acton, MA.

Signature [Signature] Date: 5/11/02  
Applicant(s)

Based upon the information provided it is my judgement the applicant should be allowed to participate in the lottery for an affordable home in Acton. However, if selected, all information provided shall be verified for accuracy at the time of bank application.

Signature [Signature] Date: 5/11/02  
Certifying Agent

NOTES:

# DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT



Argeo Paul Cellucci, Governor  
Jane Swift, Lieutenant Governor  
Jana Wallis Gamble, Director

June 13, 2000

Wayne L. Friedrichs, Chairman  
Board of Selectmen  
Town of Acton  
472 Main Street  
Acton, Ma 01720

RE: Harris Street Village Local Initiative Units - Acton, MA 01720

Dear Mr. Friedrichs:

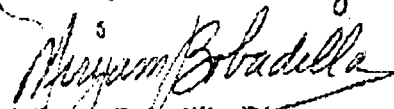
This is to inform you of a correction to the approval letter of May 19, 2000, for the Harris Street Village in Acton. After conversations with Mr. Mark O'Hagen, we have determined that the 3 bedroom 1 1/2 bath local Initiative Program (LIP) units at the Harris Street Village in Acton are units number 1, 12, 14, and 15.

It is my understanding that the lottery for the affordable units at the Harris Street Village LIP was done in conjunction with the Westside Village LIP.

Once again, we congratulate the Town of Acton and Ron Peabody of Northwest Development LLC for working together to make this project a reality.

Should you have any questions, please do not hesitate to call me.

Sincerely,

  
Maryam Bobadilla, Director  
State Homeownership Programs

One Congress Street  
Boston, Massachusetts 02114

**MCO & ASSOCIATES, Inc**

62 Green Road - Bolton, MA 01740 (978) 779-0113 Tel  
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# Fax

**To:** Betty McManus ACHC **From:** Mark O'Hagan  
**Fax:** 266 1408 **Pages:** 1 + cover  
**Phone:** **Date:** 9/14/00  
**Re:** Letter from DHEC  
Regarding Harris Village  
Unit Address  
**CC:**  
  
☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

**Harris Street Village**  
Acton, Massachusetts

Home Availability & Projected Owners

	<u>Unit #</u>	<u>Home Style</u>	<u>Estimated Completion</u>	<u>Projected Owner</u>
Home 1	1	Bristol	June 2000	✓ Beverly Hutchings 9 Pine Street Townsend, MA 01469 (L)
Home 2	12	Oxford	June 2000	<del>Marijo Luc</del> <del>204 Bryant Street #6</del> <del>Malden, MA 02148</del> (L) MARIA PATERSON GREAT ROAD ACTON Merrimack
Home 3	14	Oxford (Handicap Adaptable)	September 2000	✓ Dawn Visco 7 South Street Acton, MA 01720 (L)
Home 4	15	Located in Historic Homesite	September 2000	<del>Patricia Daney</del> <del>147 West Neptune Street</del> <del>Lynn, MA 01905</del> SHERLY CHRISTENSEN MASS ALEN. ACTON, MA 01720 Patty Stale

ALL "WINNERS" are subject to verification of all application data

HUTCHINGS & VISCO PRE APPROVED BY COMMUNITY NAT'L BANK.  
PATERSON & CHRISTENSEN IN PROCESS.

LOCAL INITIATIVE PROGRAM **BK 31805PG154**  
**DISCOUNT RATE CERTIFICATE**

The undersigned Director of the Massachusetts Department of Housing and Community Development, the successor agency to the Executive Office of Communities and Development, a department duly organized and existing pursuant to Chapter 204 of the Acts of 1996 with all powers of said executive office and department, or the Director's duly authorized designee, ("the Director") certifies as follows with respect to a certain Deed Rider annexed and made part of that certain Deed from Harris Street Village, LLC ("Grantor") to Beverly A. Hutchings ("Grantee") dated 6/27/2000, recorded with the S. Middlesex Registry of Deeds in Book 31552 Page 271 (the "Deed Rider"):

1. The property referred to herein is the Property described in the Deed Rider.
2. The Property was developed pursuant to the provisions of the Local Initiative Program (LIP), which was established by regulations promulgated at 760 CMR 45.00 et seq.
3. The Director has determined that the Discount Rate applicable to the Property is 30.9 %, which shall be used in determining the Maximum Resale Price for the Property.
4. The Director has determined that the terms of the purchase money loan for the initial sale of the Property, namely a 30 -year, fixed rate loan at 7.99 % interest per year with 0 points paid at settlement, are in compliance with LIP requirements.
5. All defined terms used herein shall be defined as set forth in the Deed Rider unless otherwise defined herein.

Executed as a sealed instrument this 19 day of July, 2000.

The Department of Housing and  
 Community Development  
 Jane Wallis Gumble, Director

By: Alexander Whiteside  
 Alexander Whiteside, Chief Counsel  
 Duly Authorized Designee

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

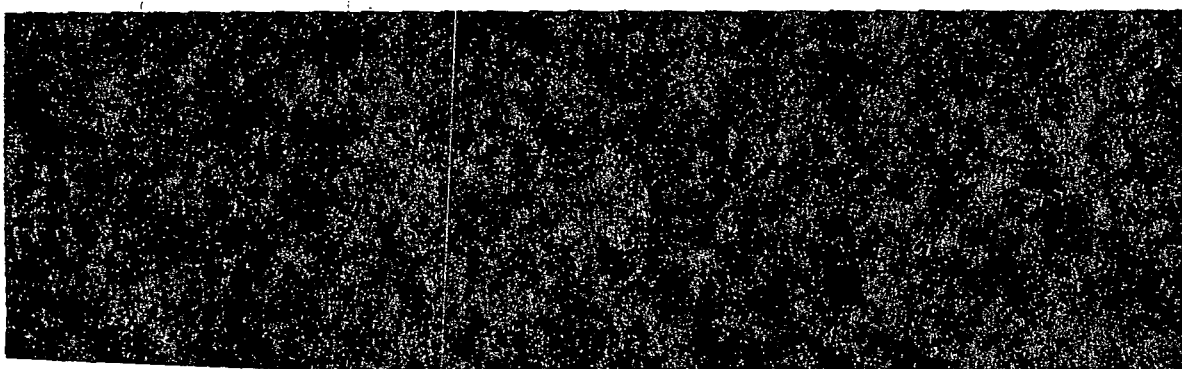
July 20, 2000.

Then personally appeared before me the above named Alexander Whiteside as Chief Counsel of the Department of Housing and Community Development and acknowledged the foregoing instrument to be his free act and deed before me.

LPM:lpd-cd - 7/31/98

Amy J. Frupp  
 Notary Public  
 My Commission Expires

Notary Public  
 State of Massachusetts  
**AMY J. FRIPP**  
 My Commission Expires March 24, 2004



Copy to Acton  
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 Unit 1, Samanthe